

***Appendix A—Comments and Responses on the
Draft Supplemental Environmental Impact
Statement/Section 4(f) Evaluation***

This appendix includes all comment all comment submissions received on the Draft Supplemental Environmental Impact Statement/Section 4(f) Evaluation [EIS/4(f)] along with responses to all substantive comments that pertained to the topics of the Draft Supplemental EIS/4(f). Common comments are summarized and responses are provided to those comments in Section 5.2.4 of the Final Supplemental EIS/4(f). Where comment responses refer to common responses, please see those responses in Section 5.2.4 of the Final Supplemental EIS/4(f).

The submissions are grouped to begin with agencies (federal, state, and local), groups and organizations, individuals and companies, and finally the transcript of the public hearing. Each group in the following index is sorted alphabetically except the transcript which is in the order of speaking. Numbers in parenthesis indicate the number of multiple submissions from the listed party.

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United States Department of the Interior

OFFICE OF THE SECRETARY
Office of Environmental Policy and Compliance
Pacific Southwest Region
333 Bush Street, Suite 515
San Francisco, CA 94104

IN REPLY REFER:
(ER 13/0409)

Filed Electronically

22 July 2013

Mary Nguyen
Federal Transit Administration
888 South Figueroa Street, Suite 2170
Los Angeles, CA 90017

Subject: Draft Supplemental Environmental Impact Statement (DSEIS), Department of Transportation (DOT), Federal Transit Administration (FTA), Honolulu Rail Transit Project (formerly the Honolulu High-Capacity Transit Corridor Project), Hawaii

Dear Ms. Nguyen:

Thank you for the opportunity to comment on the Draft Supplemental Environmental Impact Statement (DSEIS), Department of Transportation (DOT), Federal Transit Administration (FTA), Honolulu Rail Transit Project (formerly the Honolulu High-Capacity Transit Corridor Project), Hawaii. We have the comments to assist your preparation of the Final EIS.

DOI-1

DOI-1

The FTA and HART appreciate the Department of the Interior's interest in the Honolulu Rail Transit Project.

RE: NRHP Eligible or Listed Properties Evaluated for Section 4(f).

The document states that factors considered in evaluating whether a property was eligible included the age of a property (built before 1967) and its integrity (D SEIS p34, 55). Using these two factors, 42 properties along the Beretania Street Tunnel alignment and corridor were identified as eligible.

DOI-2

The properties listed in the Supplemental EIS/4(f) were evaluated for eligibility for listing on the NRHP using the same process and assumptions used to determine eligibility of properties during the Section 106 process for the Project. Please see Common Response 9 in Section 5.2.4 of the Final Supplemental EIS/4(f).

Two points of concern: none of these evaluations has had State Historic Preservation Division (SHPD) review or concurrence and not every property of a certain age is eligible for listing on the National Register of Historic Places (NRHP).

DOI-2

The SHPO was sent copies of the Draft Supplemental EIS/4(f) for review and comment on May 31, 2013. As noted in the State of Hawaii Department of Land and Natural Resources letter, dated July 22, 2013, the SHPO did not comment on the Draft Supplemental EIS/4(f). A summary of consultation efforts with SHPO is included in Section 5.1 of the Final Supplemental EIS/4(f).

Given that eligibility for listing on the NRHP is based on significance and integrity associated with a property's significance during the associated period of significance, it seems that evaluations for the properties along the Beretania alignment are incomplete and not comparable to the level of evaluation conducted in the FEIS and Section 106 consultation for properties along the Project alignment, which were reviewed by and received concurrence from the SHPD. It is possible that not all 42 identified properties included in the DSEIS are eligible for the NRHP.

Additionally, the Beretania Tunnel Alternative would not necessarily adversely affect all of the historic properties. For example, the FEIS states that 81 properties listed on the NRHP or determined eligible for the register were identified in the 20 mile corridor of the Project. It was determined through the Section 106 finding of effects that 33 of the 81 were adversely affected; SHPD concurred with this finding.

In the draft SEIS, the section of the Project that is compared with the Beretania Tunnel Alternative stretches between Ka'aahi Station and Ala Moana Center. Counting the number of historic properties identified in Figure 4-77 of the FEIS, there are at least 30 historic properties in this section of the Project,

of which 15 are identified in the FEIS as adversely affected (this is the number used in the draft SEIS). It would be a safe assumption that not all historic properties within the Beretania Tunnel Alternative segment would be adversely affected. Given that a finding of effect isn't available for the Beretania Tunnel Alternative, the comparable would be the potential to adversely affect historic properties, which would include all identified historic properties in both alternatives.

DOI-2
(cont.)

The draft SEIS 4(f) evaluation considers the full length of the Beretania alignment to UH Manoa, and compares it to the much shorter Project corridor that ends at Ala Moana Center. Since a decision was made by the agency after issuance of the DEIS, not to include the "planned extension to UH Manoa" shown in Figure 2-8 of the DEIS, the comparison in the draft SEIS should have treated the Beretania Street Tunnel Alternative in the same manner rather than including the full length to UH Manoa. It is likely that if the Beretania Tunnel option had been included in the original FEIS that the decision to limit the project to 20 miles would have applied to this alternative as well. Depending on where the 20 mile mark would fall, somewhere between 15 and 23 of the historic properties shown on Figure 17 of the draft SEIS would no longer fall within the corridor of the Beretania Street Tunnel Alternative. Considering this issue from another perspective, if the full length from Ala Moana Center to UH Manoa were considered for the Project, it would seem a strong likelihood that the potential for the Project to adversely affect additional historic properties would increase.

DOI-3

RE: Mother Waldron Park analysis

Sections of 4.1 and 4.2 include confusing statements and in at least one instance a partial quote that is misleading.

The following is an excerpt from Page 80 of the DSEIS:

The boundary of the NRHP-eligible historic property is the current boundary of the park, which contains both historic contributing and non-historic, non-contributing elements. The period of significance for Mother Waldron Playground spans from its construction date in 1937 until 1945, when supervised play ceased and Honolulu's Board of Parks and Recreation was formed. Effects on non-contributing elements do not constitute an adverse effect to the historic property.

The contributing historic elements include the Art Deco/Art Moderne-style comfort station, the remaining portion of the Ewa boundary wall, internal walls and benches, and the general layout of the makai portion of the playground, which constitutes the remaining portion of the recreational landscape that is still in its original configuration (Figure 32).

The structures (walls and benches) on the mauka side of the park have been reconstructed and relocated. As a result, they are not eligible for the NRHP per 36 CFR 60.4, "structures that have been moved from their original locations shall not be considered eligible for the NRHP". The shape and size of the mauka side playground have been revised, and the configuration and equipment have been changed.

DOI-4

The citation in the third paragraph that references 36 CFR 60.4 is a partial citation that is misleading. As such the conclusion on page 80 of the DSEIS is incorrect. The full citation is:

Criteria considerations. Ordinarily cemeteries, birthplaces, or graves of historical figures, properties owned by religious institutions or used for religious purposes, structures that have been moved from their original locations, reconstructed historic buildings, properties primarily commemorative in nature, and properties that have achieved significance within the past 50 years shall not be considered eligible for the National Register. However, such properties will qualify if they are integral parts of

DOI-3

The scope of this Supplemental EIS/4(f) is limited to the evaluation and findings under Section 4(f) of the Department of Transportation Act related to whether the Beretania Street Tunnel Alternative is a feasible and prudent avoidance alternative per the District Court Order on Cross Motions for Summary Judgment. The Summary Judgment did not require an examination of additional alternatives. Please see Common Responses 1 and 2 in Section 5.2.4 of the Final Supplemental EIS/4(f) for a discussion of additional alternatives.

A project must connect logical termini and be of sufficient length to address environmental matters on a broad scope, as required by 23 CFR 771.111(f)(1). If funding becomes available, and an extension of the Project to UH Mānoa is undertaken at a future date, the National Environmental Policy Act and Section 106 processes would be completed for the extension. Neither 23 CFR 771 nor the Court's Summary Judgment Order requires the evaluation of a lengthened alternative for the Project that is no longer under consideration.

DOI-4

The analysis is consistent with 36 C.F.R § 60.4, which states in its entirety:

Criteria considerations. Ordinarily cemeteries, birthplaces, or graves of historical figures, properties owned by religious institutions or used for religious purposes, structures that have been moved from their original locations, reconstructed historic buildings, properties primarily commemorative in nature, and properties that have achieved significance within the past 50 years shall not be considered eligible for the National Register. However, such properties will qualify if they are integral parts of districts that do meet the criteria of if they fall within the following categories:

(a) A religious property deriving primary significance from architectural or artistic distinction or historical importance; or

(b) A building or structure removed from its original location but which is significant primarily for architectural value, or which is the surviving structure most importantly associated with a historic person or event; or

(c) A birthplace or grave of a historical figure of outstanding importance if there is no appropriate site or building directly associated with his productive life.

(d) A cemetery which derives its primary significance from graves of persons of transcendent importance, from age, from distinctive design features, or from association with historic events; or

(e) A reconstructed building when accurately executed in a suitable environment and presented in a dignified manner as part of a restoration master plan, and when no other building or structure with the same association has survived; or

(f) A property primarily commemorative in intent if design, age, tradition, or symbolic value has invested it with its own exceptional significance; or

(g) A property achieving significance within the past 50 years if it is of exceptional importance.

The complete text does not alter the discussion because the features that have been moved and reconstructed are not part of a historic district and do not qualify for any other exception listed in the provision. The property as a whole is a historic property, but the relocated and reconstructed elements are not contributing elements to the property.

districts that do meet the criteria or if they fall within the following categories:

There is a statement in the last paragraph on page 80 that "The setting, feeling and association of the park are not part of the playgrounds historic significance." This statement is a bit confusing. Setting, feeling, and association are three of the seven aspects of integrity, with location, design, materials and workmanship constituting the other four. The setting, feeling and association should be described as aspects of the integrity. If they have been compromised or diminished then that is the statement that should be made along with an explanation to support the assessment.

DOI-5

Also note that the Historic Effects Report, which is an appendix to the PA, is cited in the DSEIS and had SHPD concurrence, identifies impacts to the setting as the cause of the adverse effect (see p. 91 of the DSEIS).

The following statement from p.91 of the DSEIS does not make sense:

Effect on Historic Features
During the Section 106 historic review process, the FTA determined the eligibility of an effect on historic properties located within the Area of Potential Effects for the Project. In consultation with the SHPO, the FTA determined that the Project

DOI-6

Suggest rewriting for clarity, perhaps to the affect: "During the Section 106 consultation, the FTA evaluated the effect of the Project on historic properties located within the Area of Potential Effect."

Further explanation may be needed to resolve two statements regarding the effect of the Project on the historic integrity of Mother Waldron Neighborhood Park.

On page 91, there is the following statement, "In consultation with the SHPO, the FTA determined that the Project will have an adverse effect on Mother Waldron Playground." And, on page 95, there is the statement, "The project would not adversely affect the activities, features or attributes that make the property eligible for the NRHP."

DOI-7

These two statements seem to be at odds. There was a finding of adverse effect, specifically to the setting, and arguably to the feeling and association, although this was not established in the original assessment. It does not seem to make sense that the conclusion could be that there isn't an adverse effect. Thank you again for the opportunity to comment. If you have any questions, please address them to Dr. Elaine Jackson-Retondo at 415-623-2368 or elaine_jackson-retondo@nps.gov.

Sincerely,



Patricia Sanderson Port
Regional Environmental Officer

cc:
Director, OEPC
OEPC Staff Contact: Lisa Chetnik Treichel

DOI-5

The Draft Supplemental EIS/4(f) evaluated Mother Waldron Park and Playground within the context of Section 4(f). If a project does not permanently incorporate land from the historic property but results in an adverse effect, it is necessary to further assess the proximity impacts of the project in terms of the potential for constructive use under Section 4(f). As described in Section 1.2.1 of the Draft Supplemental EIS/4(f), a constructive use occurs when the transportation project does not incorporate land from a Section 4(f) property, but the project's proximity impacts are so severe that the protected activities, features, or attributes that qualify the property for protection under Section 4(f) are substantially impaired.

The substantial alteration of the Playground's boundaries, and the changes in setting, since its period of historical significance are documented in Section 4.1 of the Draft Supplemental EIS/4(f). Every building adjacent to the Playground has been demolished or replaced, and the use of every parcel surrounding the Playground has changed since its construction. As depicted in Figure 29, the Playground's setting was changed significantly when an apartment building was constructed on part of the property, and the park's boundaries were expanded. In short, the setting, feeling, and association have been highly compromised, as described in Section 4.1 of the Draft Supplemental EIS/4(f).

Section 4.1.2 of the Final Supplemental EIS/4(f) identifies the aspects of Mother Waldron Park that contribute to its eligibility for the NRHP and Section 4.2.2 evaluates whether the Project would "substantially impair," per 23 CFR part 774.15, those aspects in a way that "substantially" diminishes Mother Waldron Park from qualifying for the NRHP. The Project would result in a visual effect because it introduces a new visual element, the guideway, into Mother Waldron Playground's setting in a close proximity to the park. However, the setting, feeling, and association of the park have been highly compromised by the development and construction in the surrounding area. Mother Waldron Playground derives its historic significance from its historical development and use as a playground and its remaining architectural and landscape design features. Remaining significant historic features of the original playground include the Art Deco/Art Moderne-style comfort station, remaining portion of the 'Ewa boundary wall, internal walls and benches, and the general layout of the makai portion of the playground. The Project would not affect the architectural and landscape design features of the playground. Therefore, the Project would not adversely affect the activities, features or attributes that qualify Mother Waldron Playground under Section 4(f)

DOI-6

The text has been revised in the Final Supplemental EIS/4(f) to read "eligibility of properties for listing in the NRHP and the effect of the Project on historic properties located within the Area of Potential Effects".

DOI-7

The text has been revised in the Final Supplemental EIS/4(f) to read "The Project will not create proximity impacts so severe that the protected activities, features, or attributes that qualify Mother Waldron Playground for protection under Section 4(f) are substantially impaired." Section 4.1.1 of the Draft Supplemental EIS/4(f) discusses the protected features of Mother Waldron Playground. See response to DOI-5 regarding the differences between the finding of adverse effect under Section 106 and substantial impairment under Section 4(f) for Mother Waldron Playground.



United States Department of the Interior

U.S. GEOLOGICAL SURVEY
Pacific Islands Water Science Center
677 Ala Moana Blvd., Suite 415
Honolulu, Hawaii 96813
Phone: (808) 587-2400/Fax: (808) 587-2401

HART

June 6, 2013

*13 JUN 10 P1:52

Mr. Daniel A. Grabauskas
Honolulu Authority for Rapid Transportation
City and County of Honolulu
1099 Alakea Street, Suite 1700
Honolulu, Hawaii 96813

Mr. Ted Matley
FTA Region IX
201 Mission Street, Suite 1650
San Francisco, CA 94105

Dear Mr. Grabauskas and Mr. Matley:

Subject: Draft Supplemental Environmental Impact Statement/Section 4(f) Evaluation, Honolulu
Rail Transit Project

Thank you for forwarding the subject DEIS/4(f) for review and comment by the staff of the U.S. Geological Survey Pacific Islands Water Science Center. We regret however, that due to prior commitments and lack of available staff time, we are unable to review this document.

USGS-1

We appreciate the opportunity to participate in the review process.

Sincerely,

Stephen S. Anthony
Center Director

USGS-1

The FTA and HART appreciate the commenter's interest in the Honolulu Rail Transit Project.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
 REGION IX
 75 Hawthorne Street
 San Francisco, CA 94105

July 22, 2013

Mr. Ted Matley
 Federal Transit Administration, Region IX
 201 Mission Street, Suite 1650
 San Francisco, CA 94105

Subject: Supplemental Draft Environmental Impact Statement for the Honolulu Rail Transit Project, Honolulu, Hawaii (CEQ #20130157)

Dear Mr. Matley:

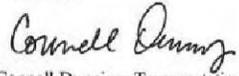
The Environmental Protection Agency (EPA) has reviewed the above-referenced document pursuant to the National Environmental Policy Act (NEPA), Council on Environmental Quality (CEQ) regulations (40 CFR Parts 1500-1508), and Section 309 of the Clean Air Act.

We reviewed the Draft Environmental Impact Statement (DEIS) for this project and provided comments on February 12, 2009, and reviewed the Final Environmental Impact Statement (FEIS) and provided comments on August 16, 2010. The FEIS resolved the concerns that we had identified following our review of the previous DEIS. We understand that this Supplemental Draft Environmental Impact Statement (SDEIS) is a limited-scope document that evaluates the Beretania Street Tunnel Alternative and reconsiders the no use determination for Mother Waldron Neighborhood Park under Section 4(f) of the Department of Transportation Act. We have rated the document as *LO, Lack of Objections*. Please see the attached *Rating Factors* for a description of our rating system. We encourage the Federal Transit Administration to include in the Supplemental Final Environmental Impact Statement (FEIS) any additional available information on traditional cultural properties that would affect project design.

We appreciate the opportunity to review the SDEIS. When the Supplemental FEIS is released for public review, please send one CD copy to the address above (mail code: CED-2). If you have any questions, please contact Carolyn Mulvihill, the lead reviewer for this project, at 415-947-3554 or mulvihill.carolyn@epa.gov.

- EPA-1 The FTA and HART appreciate the Environmental Protection Agency's interest in the Honolulu Rail Transit Project.
- EPA-2 Please see Common Response 4 in Section 5.2.4 of the Final Supplemental EIS/4(f) regarding Traditional Cultural Properties.
- EPA-3 The EPA will remain on the distribution list for the Final Supplemental EIS/4(f).

Sincerely,



Connell Dunning, Transportation Team Supervisor
Environmental Review Office
Communities and Ecosystems Division

Enclosures: Summary of EPA Rating Definitions

cc: Daniel A. Grabauskas, Honolulu Authority for Rapid Transportation



GSA Pacific Rim Region

July 22, 2013

Mr. Ted Matley
FTA Region IX
201 Mission St., Ste. 1650
San Francisco, CA 94105

Mr. Daniel A. Grabauskas
Honolulu Authority for Rapid Transportation
City and County of Honolulu
1099 Alakea St., Ste. 1700
Honolulu, HI 96813

Re: Draft Supplemental Environmental Impact Statement
Section 4 (f) Evaluation of Honolulu Rail Transit Project

Dear Mr. Matley and Mr. Grabauskas:

On behalf of the United States General Services Administration (GSA), Pacific Rim Region, we submit the following comments to the Draft Supplemental Environmental Impact Statement (DSEIS) regarding the Beretania Street Tunnel Alternative.

GSA-1

GSA-1

The FTA and HART appreciate the General Service Administration (GSA)'s interest and participation in the Honolulu Rail Transit Project.

In a letter dated June 11, 2010 to the GSA you made a commitment to address the security concerns regarding the proximity of the Transit Corridor to the PJKK U.S. Courthouse & Federal Building particularly the setbacks and site lines. We anticipate that you will continue to consult with GSA on this matter during the design development and construction phases of the project. Specifically, as you develop your design we request that you address the inherent noise, vibration levels, security and sight lines of the High Capacity Transit Rail in the immediate vicinity of the PJKK federal facility during construction and once it is operational along with the mitigation measures that will be incorporated.

GSA-2

GSA-2

The FTA and HART commit to continue coordination with GSA and implementing security mitigation measures that have been agreed to between HART and GSA. The FTA and HART further commit to meeting all federal security guidelines requirements applicable to the transit project in relation to the Prince Jonah Kuhio Kalaniana'ole Federal Building and its uses.

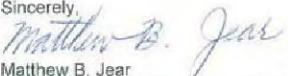
Our tenants have been fully engaged in the development of this project and have similarly expressed concerns relative to the PJKK federal facility. Your attention to these environmental concerns is critically important to the federal community at this facility.

GSA-3

GSA-3

The FTA and HART have received and responded to a separate comment letter from Judge Mollway.

We look forward to working with your office as you progress on this major transit project. Please address all future formal correspondence on this subject to Ms. Moonyeen Alameida, Acting Regional Environmental Quality Advisor, Portfolio Management Division at (415) 522-3486 or email at moonyeen.alameida@gsa.gov with any questions.

Sincerely,

Matthew B. Jear
Director, Portfolio Management Division
Public Buildings Service

U.S. General Services Administration
450 Golden Gate Avenue
San Francisco, CA 94102-3434
www.gsa.gov

NEIL ABERCROMBIE
GOVERNOR



Dean H. Seki
Comptroller
Marla E. Zelnick
Deputy Comptroller

HART

STATE OF HAWAII
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES
P.O. BOX 119, HONOLULU, HAWAII 96810-0119

13 JUL 11 P2:48

JUL 10 2013

(P)1156.3

Mr. Daniel A. Grabauskas
Honolulu Authority for Rapid Transportation
City and County of Honolulu
1099 Alakea Street, Suite 1700
Honolulu, HI 96813

Dear Mr. Grabauskas:

Subject: Draft Supplemental Environmental Impact
Statement / Section 4(f) Evaluation
Honolulu Rail Transit Project

This is in response to your May 29, 2013 letter requesting comments regarding the subject draft supplemental environmental impact statement.

To date, there continues to be no discussion with us about use of the Liliha Civic Center property, also known as the OR&L site. Our last correspondence on the matter to the City and County of Honolulu, dated September 8, 2008, requested relocation of the then identified traction power station off-site. Both the Fixed Guideway plan (Iwilei Station) and Beretania Street Tunnel alternative (Ka'aahi Street Station) will have negative impacts to our existing facilities and future development plans for the property. We will reserve our detailed comments pending direct meetings and discussions on the matter.

DAGS - 1

We also reiterate that the proposed tunnel alternative below Beretania Street, mauka of the State Capitol Building, may cut off the main vehicular access to the State Capitol Building via Miller Street. The design in this area is especially critical because the State Capitol is part of the Hawaii Capitol Historic District, which is on the National Register of Historic Places. Early coordination with the Department of Accounting and General Services and the State Historic Preservation Division is essential to this phase of the project moving forward.

DAGS - 2

If you have any questions, please call me at 586-0400 or your staff may call Mr. David DePonte of the Public Works Division at 586-0492.

Sincerely,

DEAN H. SEKI
Comptroller

c: Mr. Ted Matley, Federal Transit Authority Region IX

DAGS-1 Because the Beretania Street Tunnel Alternative is not a feasible and prudent avoidance alternative and would not have the least overall harm to Section 4(f) properties, as discussed in Common Responses 5 and 6 in Section 5.2.4 of the Final Supplemental EIS/4(f), FTA and HART do not intend to further pursue the Beretania Street Tunnel Alternative. Effects of the Project on the OR&L property were addressed in the Final Environmental Impact Statement/Section 4(f) Evaluation [EIS/4(f)]. Section 3.3.1 of the Final Supplemental EIS/4(f) has been updated to reflect the effects of the Beretania Street Tunnel Alternative and the Department of Accounting and General Services use of the OR&L property.

DAGS-2 Section 3.4 of the Final Supplemental EIS/4(f) has been updated to clarify that the depth of the tunnel would increase in the vicinity of the Hawai'i State Capitol to avoid conflicts with existing vehicle access to the Capitol Building's parking garage.

Helberg, David

From: Grabauskas, Dan
Sent: Monday, July 22, 2013 7:09 PM
To: Scanlon, Elizabeth; Helberg, David; Miyamoto, Faith
Subject: FW: Draft Supplemental Environmental Impact Statement/Section 4(f) Evaluation, Honolulu Rail Transit Project
Attachments: DOC078.pdf

From: Steve.Molmen@hawaii.gov [mailto:Steve.Molmen@hawaii.gov]
Sent: Monday, July 22, 2013 4:15 PM
To: ted.matley@dot.gov; Grabauskas, Dan
Subject: Draft Supplemental Environmental Impact Statement/Section 4(f) Evaluation, Honolulu Rail Transit Project

Dear Mr. Matley and Mr. Grabauskas,

Attached, please find our comments on the subject project. No hard copy will be sent.

On a related subject, please see the cover letter that we received from AlohaGraphics. We look askance - a graphics company that not only sends out phantom attachments, but has no letterhead, and provides no name, no address, no telephone number, and no email address to contact them.

DLNR-1

Best regards,

Steve Molmen, Supervising Land Agent
Land Division
Department of Land and Natural Resources
State of Hawaii
1151 Punchbowl Street, Suite 220
Honolulu, HI 96809-0621
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DLNR-1

The FTA and HART appreciate the State of Hawai'i Department of Land and Natural Resource's interest in the Honolulu Rail Transit Project. Issues with access to the Draft Supplemental Environmental Impact Statement/Section 4(f) Evaluation were resolved through a phone call to the agency.

7/23/2013

HART



13 JUL 23 18 50



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION
POST OFFICE BOX 621
HONOLULU, HAWAII 96809

July 22, 2013

Mr. Ted Matley
FTA Region IX
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San Francisco, CA 94105

via email: ted.matley@dot.gov

Mr. Daniel A. Grabauskas
Honolulu Authority for Rapid Transportation
City and County of Honolulu
1099 Alakea Street, Suite 1700
Honolulu, HI 96813

via email: dgrabauskas@honolulu.gov

Dear Mr. Matley and Mr. Grabauskas,

SUBJECT: Draft Supplemental Environmental Impact Statement/Section 4(f)
Evaluation, Honolulu Rail Transit Project

Thank you for the opportunity to review and comment on the subject matter. The Department of Land and Natural Resources' (DLNR) Land Division distributed or made available a copy of your report pertaining to the subject matter to DLNR Divisions for their review and comments.

At this time, enclosed are comments from Land Division - Oahu District. No other comments were received as of our suspense date. Should you have any questions, please feel free to call Supervising Land Agent Steve Molmen at 587-0439. Thank you.

Sincerely,

Russell Y. Tsuji
Land Administrator

Enclosure(s)



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION
POST OFFICE BOX 621
HONOLULU, HAWAII 96809

June 19, 2013

MEMORANDUM

DLNR Agencies:

- Div. of Aquatic Resources
- Div. of Boating & Ocean Recreation
- Engineering Division
- Div. of Forestry & Wildlife
- Div. of State Parks
- Commission on Water Resource Management
- Office of Conservation & Coastal Lands
- Land Division - Oahu District
- Historic Preservation

FROM: Russell Y. Tsuji, Land Administrator

SUBJECT: Draft Supplemental Environmental Impact Statement/Section 4(f) Evaluation
Honolulu Rail Transit Project

LOCATION: Various portions of Oahu from East Kapolei to Ala Moana Center, with emphasis on
portions of Beretania Street and Mother Waldron Neighborhood Park and
Playground

APPLICANT: U. S. Department of Transportation, Federal Transit Administration (lead federal
agency) and Honolulu Authority for Rapid Transit (project sponsor)

Transmitted for your review and comment on the above-referenced document. We would appreciate your comments on this document.

Despite the assertions in the cover letter from AlohaGraphics Inc. no hard copies (or disk) of the document were received. However, you should be able to easily access the document either at www.HonoluluTransit.org or at these links: <http://www.honolulutransit.org/media/186253/20130501-Draft-SEIS.pdf> and <http://www.honolulutransit.org/media/186263/20130501-Draft-SEIS-Appendices.pdf>

Please submit any comments by July 18, 2013. If no response is received by this date, we will assume your agency has no comments. If you have any questions about this request, please contact Supervising Land Agent Steve Molmen at (808) 587-0439. Thank you.

Attachments We have no objections.
 We have no comments.
 Comments are attached.

Signed:
 Print Name: Russell Y. Tsuji
 Date: 7/15/2013

c: Central Files

13672

RECEIVED

June 3, 2013

2013 JUN -5 AM 10: 27

Dear Recipient,

DEPT. OF LAND & NATURAL RESOURCES
STATE OF HAWAII

Due to a file corruption during reproduction, the Honolulu Rail Transit Project Draft Supplemental EIS/Section 4(f) Transmittal Letter is being provided in hard-copy. We apologize for any inconvenience. Mahalo.

AlohaGraphics Inc.

RECEIVED
LAND DIVISION
2013 JUN 12 PM 2: 01
DEPT. OF LAND & NATURAL RESOURCES
STATE OF HAWAII

13 JUN 05 AM 10:53 ENGINEERING

RECEIVED
LAND DIVISION
2013 JUN 14 AM 9: 35
DEPT. OF LAND & NATURAL RESOURCES
STATE OF HAWAII

APPROVED
C.M.S. 00470
NEIL ABERCROMBIE
GOVERNOR



STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
869 PUNCHBOWL STREET
HONOLULU, HAWAII 96813-5087
July 22, 2013

GLENN M. OKIMOTO
DIRECTOR

Deputy Directors
JADE I. BUI LAY
FORD N. FUCHIGAMI
RANDY GRUNE
JAUNE UHASAKI

IN REPLY REFER TO:
STP 8.1264

HART

13 JUL 31 P 4 :02

Mr. Ted Matley
Federal Transit Administration Region IX
201 Mission Street, Suite 1650
San Francisco, California 94104

and

Mr. Daniel A. Grabauskas
City and County of Honolulu
Honolulu Authority for Rapid Transportation
1099 Alakea Street, Suite 1700
Honolulu, Hawaii 96813

Dear Messrs. Matley and Grabauskas:

Subject: Honolulu Rail Transit Project
Draft Supplemental Environmental Impact Statement (DSEIS)/
Section 4(f) Evaluation

Thank you for requesting the State Department of Transportation's (DOT) review of the subject plan. DOT comments are as follows:

1. The Beretania Street Tunnel Alternative (BSTA) does not impact State highways facilities except where it would cross Interstate H-1 near the University of Hawaii in order to terminate at a proposed station in the Lower Quarry area. Since the DSEIS was prepared to address Section 4(f) considerations, DOT has no comments on the BSTA. However, should the BSTA become the preferred alignment, the crossing of Interstate H-1 would have to be more fully reviewed and coordinated with DOT.
2. Mother Waldron Park (MWP) is located along a road under the jurisdiction of the County and a change in a "No Use" determination would not impact DOT highway facilities in the area.

DOT-1

DOT-1

The FTA and HART appreciate the State of Hawaii Department of Transportation (HDOT)'s interest in the Honolulu Rail Transit Project. HART will continue to coordinate with HDOT on all state facilities.

DOT-2

DOT-2

The lack of HDOT jurisdiction in the vicinity of Mother Waldron Neighborhood Park is noted.

13 JUL 31 10 38
RECEIVED

Mr. Ted Matley and Mr. Daniel A. Grabauskas
July 22, 2012
Page 2

STP 8.1264

DOT appreciates the opportunity to provide comments. If there are any other questions, including the need to meet with DOT staff, please contact Mr. Gary Ashikawa of the DOT Highways Planning Branch at telephone number (808) 587-6336.

Very truly yours,



GLENN M. OKIMOTO, Ph.D.
Director of Transportation



**OFFICE OF PLANNING
STATE OF HAWAII**

235 South Beretania Street, 6th Floor, Honolulu, Hawaii 96813
Mailing Address: P.O. Box 2359, Honolulu, Hawaii 96804

Telephone: (808) 587-2846
Fax: (808) 587-2824
Web: <http://hawaii.gov/dbed/op/>

NEIL ABERCROMBIE
GOVERNOR

JESSE K. SOUKI
DIRECTOR
OFFICE OF PLANNING

Ref. No. P-14045

HART

July 12, 2013

13 JUL 18 P2:20

Mr. Daniel A. Grabauskas, Executive Director and CEO
Honolulu Authority for Rapid Transit
City and County of Honolulu
Alii Place, Suite 1700
1099 Alakea Street
Honolulu, Hawaii 96813

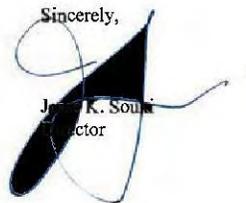
Dear Mr. Grabauskas:

Subject: Draft Supplemental Environmental Impact Statement (EIS)/Section 4(f)
Evaluation, Honolulu Rail Transit Project

Thank you for the opportunity to provide comments on the Draft Supplemental EIS for
the Honolulu Rail Transit Project.

The Office of Planning has previously reviewed this project. In a letter dated October 22,
2012 (Ref. No. P-13755), we had issued a statement that this project is consistent with the
objectives and policies of the Hawaii Revised Statutes Chapter 205A. We have no further
comments at this time. OP-1

If you have any questions regarding this comment letter, please contact Leo Asuncion or
Josh Hekeкия of our Coastal Zone Management Program at 587-2846.

Sincerely,

Jesse K. Souki
Director

OP-1

The FTA and HART appreciate the State of Hawai'i Office of Planning's
interest in the Honolulu Rail Transit Project.

BOARD OF WATER SUPPLY

CITY AND COUNTY OF HONOLULU
630 SOUTH BERETANIA STREET
HONOLULU, HI 96843



July 15, 2013

HART

13 JUL 18 P2:19

KIRK CALDWELL, Mayor
DUANE R. MIYASHIRO, Chairman
MAHEALANI CYPHER, Vice Chair
THERESA C. McMURDO
ADAM C. WONG
KAULANA H. R. PARK
ROSS S. SASAMURA, Ex-Officio
GLENN M. OKIMOTO, Ex-Officio
ERNEST Y. W. LAU, P.E.
Manager and Chief Engineer
ELLEN E. KITAMURA, P.E.
Deputy Manager and Chief Engineer

Mr. Daniel A. Grabauskas
Honolulu Authority for Rapid Transportation
City and County of Honolulu
1099 Alakea Street, Suite 1700
Honolulu, Hawaii 96813

Dear Mr. Grabauskas:

Subject: Your Letter Dated May 29, 2013, Requesting Comments
on the Draft Supplemental Environmental Impact
Statement/Section 4(f) Evaluation, Honolulu Rail Transit Project

Thank you for the opportunity to comment on the Beretania Street Tunnel Alternative and no use determination for Mother Waldron Park.

The Board of Water Supply (BWS) has plans to install a 42-inch water main on Beretania Street from Liliha Street to Richards Street; Richards Street from Beretania Street to King Street; and King Street from Richards Street to Isenberg Street. This critical project is necessary to provide increased transmission capacity and reliability to the Primary Urban Center, and is scheduled to be installed around 2018. The design and construction of the proposed Beretania Street Tunnel Alternative should be coordinated with the BWS to minimize project conflicts and inconvenience to customers. The construction drawings should be submitted for our approval.

BWS - 1

We have no comments on the no use determination for Mother Waldron Park.

If you have any questions, please contact Robert Chun at 748-5443.

Very truly yours,

ERNEST Y. W. LAU, P.E.
Manager and Chief Engineer

BWS-1

Section 3.4 of the Final Supplemental Environmental Impact Statement/Section 4(f) Evaluation [EIS/4(f)] has been updated to reflect the information provided by the Board of Water Supply. Because the Beretania Street Tunnel Alternative is not a feasible and prudent avoidance alternative and would not have the least overall harm to Section 4(f) properties, as discussed in Common Responses 5 and 6 in Section 5.2.4 of the Final Supplemental EIS/4(f), no plans are proposed for its design or construction.

DEPARTMENT OF COMMUNITY SERVICES
CITY AND COUNTY OF HONOLULU

715 SOUTH KING STREET, SUITE 511 • HONOLULU, HAWAII 96813 • AREA CODE 808 • PHONE: 768-7762 • FAX: 768-7792

KIRK CALDWELL
MAYOR



PAMELA A. WITTY-OAKLAND
DIRECTOR

GARY K. MAKATA
DEPUTY DIRECTOR

HART

'13 JUL 11 P2:49

July 9, 2013

Mr. Daniel A. Grabauskas
Executive Director
Honolulu Authority for Rapid Transportation
City and County of Honolulu
1099 Alakea Street, Suite 1700
Honolulu, Hawaii 96813

Dear Mr. Grabauskas:

SUBJECT: Draft Supplemental Environmental Impact
Statement/Section 4(f) Evaluation
Honolulu Rail Transit Project

We have reviewed your letter dated May 29, 2013, and the "Draft Supplemental
Environmental Impact Statement/Section 4(f) Evaluation, Honolulu Rail Transit Project."

Our review of the information provided indicates that the actions reviewed under
the "Draft Supplemental Environmental Impact Statement/Section 4(f) Evaluation" will
have no adverse impacts on any Department of Community Services' activities or
projects at this time.

DCS-1

DCS-1

The FTA and HART appreciate the Department of Community Services' interest in the Honolulu Rail Transit Project.

Thank you for providing us with the opportunity to comment on this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Pamela A. Witty-Oakland".

Pamela A. Witty-Oakland
Director

PAW:sk

cc: Mr. Ted Matley
FTA Region IX
201 Mission Street, Suite 1650
San Francisco, California 94105

From: Mariani-Belding, Jeanne
Sent: Friday, June 14, 2013 2:10 PM
To: Takashige, Chris T
Cc: Miyamoto, Faith; Scanlon, Elizabeth
Subject: FW: Supplemental EIS

Hi Chris,
Thanks for the note. I am passing it along to Faith Miyamoto, our chief planner. Hope you are well!

Jeanne

Jeanne Mariani-Belding
Director of Communications
Honolulu Authority for Rapid Transportation (HART)
1099 Alakea St. 17th Floor
Honolulu, HI 96813
Direct: 808.768.6145
Cell: 808.489.2530
jbelding@honolulu.gov

From: Takashige, Chris T
Sent: Friday, June 14, 2013 11:48 AM
To: Mariani-Belding, Jeanne
Subject: FW: Supplemental EIS

Jeanne, Forwarding some DDC comments for consideration.

chris

Chris Takashige
Director, Dept of Design and Const
City and County of Honolulu
808-768-9471

From: Lau, Clifford
Sent: Friday, June 14, 2013 11:39 AM
To: Takashige, Chris T
Cc: Kodama, Dennis S; Hildebrand, Terry
Subject: FW: Supplemental EIS

Chris,

We had our staff review the Supplemental EIS and have the following comments:

1. Impact on A'ala Park with respect to the Beretania Street Tunnel Alternative alignment: The Beretania Street Tunnel Alternative implies the designation of an easement for a tunnel under A'ala Park. It has been a long-standing policy of the City to avoid wherever possible easements on City parks for purposes that are not directly related to park use. The proposed rail alignment would put constraints on future plans for development or redevelopment of the Park. Although not strictly a park "direct use," it is objectionable. It would tend to tie the hands of planners and designers as to what park functions could be accommodated in the future.

DDC-1

DDC-1

Section 3.3.1 of the Final Supplemental Environmental Impact Statement/Section 4(f) Evaluation [EIS/4(f)] has been updated to reflect City policy regarding easements through parks.

2. With respect to the proposed rail line's adjacency to seven City parks, the negative visual and sound impacts are relatively insignificantare counterbalanced by the positive impact of increased public accessibility. However, at Thomas Square Park (the first established City park), where view planes among several important civic establishments are important, the negative visual impact rises to a higher level of significance.

DDC-2

DDC-2

Visual impacts of the Beretania Street Tunnel Alternative are discussed in Section 3.5.3 of the Draft Supplemental EIS/4(f). Thomas Square includes protected significant public views as defined in Section 21-9.70 of the Revised Ordinances of Honolulu that would be adversely affected by the Beretania Street Tunnel Alternative.

Regards,
Clifford

From: Takashige, Chris T
Sent: Friday, May 31, 2013 1:49 PM
To: Katsura, Stanley; Trang, Timothy; Lau, Clifford; Kodama, Dennis S; Hamada, Gerald; Miyata, Thomas; Inouye, Guy M (DDC); Takara, Russell
Cc: Yonamine, Mark K
Subject: FW: Supplemental EIS

Not sure if you guys review stuff like this but forwarding it.

*Chris Takashige
Director, Dept of Design and Const
City and County of Honolulu
808-768-9471*

AP00ENV
CMS00444

DEPARTMENT OF DESIGN AND CONSTRUCTION
CITY AND COUNTY OF HONOLULU

650 SOUTH KING STREET, 11TH FLOOR
HONOLULU, HAWAII 96813
Phone: (808) 768-8480 • Fax: (808) 768-4567
Web site: www.honolulu.gov

KIRK CALDWELL
MAYOR



HART

CHRIS T. TAKASHIGE, P.E., CCM
DIRECTOR

MARK YONAMINI, P.E.
DEPUTY DIRECTOR

'13 JUL -5 P3:10

July 2, 2013

Honolulu Authority for Rapid Transportation
Alii Place
1099 Alakea Street, Suite 1700
Honolulu, Hawaii 96813

Attn: Daniel A. Grabauskas

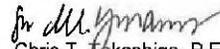
Dear Mr. Grabauskas:

Subject: Draft Supplemental Environmental Impact Statement/Section 4(f)
Evaluation Honolulu Rail Transit Project

The Department of Design and Construction does not have any comments to offer on the draft supplemental environmental impact statement/section 4 (f) evaluation.

Thank you for the opportunity to review and comment. Should there be any questions, please contact me at 768-8480.

Sincerely,


Chris T. Takashige, P.E., CCM
Director

CTT: cf (517144)

cc: Mr. Ted Matley, FTA Region IX

DDC1-1

DDC1-1

The FTA and HART appreciate the Department of Design and Construction's interest in the Honolulu Rail Transit Project.

DEPARTMENT OF FACILITY MAINTENANCE
CITY AND COUNTY OF HONOLULU

1000 Ulu'ohia Street, Suite 215, Kapolei, Hawaii 96707
Phone: (808) 768-3343 • Fax: (808) 768-3361
Website: www.honolulu.gov

KIRK CALDWELL
MAYOR

HART



ROSS S. SASAMURA, P.E.
DIRECTOR AND CHIEF ENGINEER

EDUARDO P. MANGLALLAN
DEPUTY DIRECTOR

IN REPLY REFER TO:
DRM 13-619

13 JUL -8 P12:32

July 2, 2013

Mr. Daniel A. Grabauskas
Honolulu Authority for Rapid Transportation
City and County of Honolulu
1099 Alakea Street, Suite 1700
Honolulu, Hawaii 96813

Dear Mr. Grabauskas:

SUBJECT: Draft Supplemental Environmental Impact
Statement/Section 4 (f) Evaluation
Honolulu Rail Transit Project

Thank you for the opportunity to review and comment on the subject project.
We do not have any comments to offer at this time.

DFM-1

If you have any questions, please call Tyler Sugihara of the Division of Road
Maintenance, at 768-3600.

Sincerely,

A handwritten signature in black ink, appearing to read "Ross S. Sasamura".

Ross S. Sasamura, P.E.
Director and Chief Engineer

cc: Mr. Ted Matley

DFM-1 The FTA and HART appreciate the Department of Facility Maintenance's
interest in the Honolulu Rail Transit Project.

DEPARTMENT OF PARKS & RECREATION
CITY AND COUNTY OF HONOLULU

1000 Uluohia Street, Suite 308, Kapolei, Hawaii 98707
Phone: (808) 768-3003 • Fax: (808) 768-3053
Website: www.honolulu.gov

KIRK CALDWELL
MAYOR

HART



TONI P. ROBINSON
DIRECTOR
JEANNE C. ISHIKAWA
DEPUTY DIRECTOR

*13 JUL 15 P2:16

July 10, 2013

Mr. Ted Matley
FTA Region IX
201 Mission Street, Suite 1650
San Francisco, California 94105

Mr. Daniel A. Grabauskas
Honolulu Authority for Rapid Transportation
City and County of Honolulu
1099 Alakea Street, Suite 1700
Honolulu, Hawaii 96813

Dear Mr. Matley and Mr. Grabauskas:

SUBJECT: Draft Supplemental Environmental Impact Statement
Section 4(f) Evaluation - Honolulu Rail Transit Project

Thank you for the opportunity to review and comment on the Draft Supplemental Environmental Impact Statement/Section 4(f) Evaluation.

The Department of Parks and Recreation supports the conclusion of the Supplemental Environmental Impact Statement that the Beretania Street Tunnel Alternative is imprudent and that the Honolulu Rail Transit Project, as planned, will not use Mother Waldron Neighborhood Park and Playground under Section 4(f) as no land in the park will be permanently incorporated into the project and there will be no direct use. DPR-1

Should you have any questions, please contact Mr. John Reid, Planner at 768-3017.

Sincerely,

Handwritten signature of Toni P. Robinson in black ink.

Toni P. Robinson
Director

TPR:jr
(517254)

DPR-1

The FTA and HART appreciate the attention of the City and County of Honolulu Department of Parks and Recreation as the agency with jurisdiction over multiple parks in the vicinity of the Honolulu Rail Transit Project and acknowledge that the department concurs with the findings of the Draft Supplemental EIS/4(f). Common Response 7 in Section 5.2.4 of the Final Supplemental EIS/4(f) discusses the conclusion that the Project will not use Mother Waldron Neighborhood Park and Playground.

ADDENV
CMS 00434

DEPARTMENT OF TRANSPORTATION SERVICES
CITY AND COUNTY OF HONOLULU

660 SOUTH KING STREET, 3RD FLOOR
HONOLULU, HAWAII 96813
Phone: (808) 768-8305 • Fax: (808) 768-4790 • Internet: www.honolulu.gov

KIRK CALDWELL
MAYOR

HART



MICHAEL D. FORMBY
DIRECTOR

MARK N. GARRITY, AICP
DEPUTY DIRECTOR

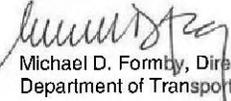
'13 JUL 30 A9 50

July 16, 2013

TP6/13-517257R

MEMORANDUM

TO: Daniel A. Grabauskas, Executive Director and CEO
Honolulu Authority for Rapid Transportation

FROM: 
Michael D. Formby, Director
Department of Transportation Services

SUBJECT: Draft Supplemental Environmental Impact Statement
(DSEIS)/Section 4(f) Evaluation Honolulu Rail Transit Project

In response to your letter dated May 29, 2013, we have no comments to offer at this time. DTS-1

Thank you for the opportunity to review this matter. Should you have any further questions, please contact Michael Murphy of my staff at 768-8359.

DTS-1

The FTA and HART appreciate the City and County of Honolulu Department of Transportation Services (DTS)'s interest in the Honolulu Rail Transit Project.

cc: Mr. Ted Matley, FTA Region IX

AP00ENV
CMS 09439

DEPARTMENT OF TRANSPORTATION SERVICES
CITY AND COUNTY OF HONOLULU

650 SOUTH KING STREET, 9RD FLOOR
HONOLULU, HAWAII 96813
Phone: (808) 768-8305 • Fax: (808) 768-4730 • Internet: www.honolulu.gov

KIRK CALDWELL
MAYOR

HART



MICHAEL D. FORMBY
DIRECTOR

MARK N. GARRITY, AICP
DEPUTY DIRECTOR

'13 JUL 31 P4:01

July 26, 2013

TP6/13-517257.2R

MEMORANDUM

TO: Daniel A. Grabauskas, Executive Director and CEO
Honolulu Authority for Rapid Transportation

FROM:  Michael D. Formby, Director
Department of Transportation Services

SUBJECT: Draft Supplemental Environmental Impact Statement
(DSEIS)/Section 4(f) Evaluation Honolulu Rail Transit Project

We are amending our response memo dated July 16, 2013, with the attached comments from our Traffic Engineering Division.

Thank you for considering our comments. Should you have any further questions, please contact Michael Murphy of my staff at 768-8359.

Attachment

cc: Mr. Ted Matley, FTA Region IX

DEPARTMENT OF TRANSPORTATION SERVICES
CITY AND COUNTY OF HONOLULU

650 SOUTH KING STREET, 3RD FLOOR
HONOLULU, HAWAII 96813
Phone: (808) 768-8304 • Fax: (808) 768-4730 • Internet: www.honolulu.gov

KIRK CALDWELL
MAYOR



MICHAEL D. FORMBY
DIRECTOR

MARK N. GARRILY, AICP
DEPUTY DIRECTOR

J13.331

July 25, 2013

MEMORANDUM

TO: Don Hamada, Chief
Transportation Planning Division

ATTN: Mike Murphy

FROM: Mark Kikuchi, Chief
Traffic Engineering Division

SUBJECT: Draft Supplemental Environmental Impact Statement
Section 4(f) Evaluation of Honolulu Rail Transit Project

We have reviewed the subject documents and have the following comments
should the Beretania Street Alternative be considered:

1. Ka'aahi Street should be connected to Iwilei, and the Ka'aahi Street Station should be designed to accommodate this. The Historic Eligible Paverblocks should be shown on plans and incorporated into design if possible.
2. Traffic control plans should be provided for review due to the road closures on Beretania Street and the adjacent streets (pp. 60-61).
3. Neal Blaisdell Center is a heavily used facility for daily parking and expositions/events. If access is restricted from the South King Street entrance, alternative entry locations (e.g. Ward Avenue) should be considered in addition to the Kapiolani Boulevard entrance (p. 61).
4. Traffic control plans for the road closures mentioned on page 69 need to be provided for review.

Should you have any questions, please call Phillippe Galicinao at local 88341.

2013 JUL 26 A 7 08
DTS
TRANSPLANNING

- DTS1-1 The FTA and HART appreciate the City and County of Honolulu Department of Transportation Services (DTS)'s interest in the Honolulu Rail Transit Project.
- DTS1-2 Because the Beretania Street Tunnel Alternative is not a feasible and prudent avoidance alternative and would not have the least overall harm to Section 4(f) properties, as discussed in Common Responses 5 and 6 in Section 5.2.4 of the Final Supplemental EIS/4(f), no plans are proposed for its design or construction.
- DTS1-3 See response DTS1-2.
- DTS1-4 See response DTS1-2.
- DTS1-5 See response DTS1-2.

ADOBENI
CMS 00432

HONOLULU FIRE DEPARTMENT
CITY AND COUNTY OF HONOLULU

836 South Street
Honolulu, Hawaii 96813-5007
Phone: 808-723-7139 Fax: 808-723-7111 Internet: www.honolulu.gov/hfd

KIRK CALDWELL
MAYOR



HART

MANUEL P. NEVES
FIRE CHIEF

LIONEL CAMARA JR.
DEPUTY FIRE CHIEF

*13 JUN 28 P2:12

June 26, 2013

Mr. Ted Matley
FTA Revision IX
201 Mission Street, Suite 1650
San Francisco, California 94105

Dear Mr. Matley:

Subject: Draft Supplemental Environmental Impact Statement/Section 4(f) Evaluation
Honolulu Rail Transit Project

In response to a letter from the Honolulu Authority for Rapid Transit (HART) dated May 29, 2013, regarding the above-mentioned subject, the Honolulu Fire Department determined that the project will more than likely not have a significant impact on fire department services.

HFD-1

Should you have questions, please contact Battalion Chief Socrates Bratakos of our Fire Prevention Bureau at 808-723-7151 or sbratakos@honolulu.gov.

Sincerely,

MANUEL P. NEVES
Fire Chief

MPN/SY:bh

cc: Daniel Grabauskas, HART

HFD-1

The FTA and HART appreciate the Honolulu Fire Department's interest in the Honolulu Rail Transit Project. Impacts on emergency services were addressed in the Honolulu High-Capacity Transit Corridor Project Final Environmental Impact Statement/Section 4(f) Evaluation issued in June 2010.



July 18, 2013

HART

Mr. Ted Matley
FTA Region IX
201 Mission Street, Suite 1650
San Francisco, CA 94105

*13 JUL 23 P2:19

Mr. Daniel A. Grabauskas
Honolulu Authority for Rapid Transportation
City and County of Honolulu
1099 Alakea Street, Suite 1700
Honolulu, Hawai'i 96813

**Honolulu Rail Transit Project
Draft Supplemental Environmental Impact
Statement/Section 4(f) Evaluation**

The directive of Congress in the passage of Section 4(f) that protection of historic resources and parks be given "paramount" importance in transportation planning seems to have gotten lost in the identification and selection of the Honolulu Rail Transit Project (Project) route.

Section 4(f)'s mandate significantly prohibits the construction of transportation projects that require "use" of historic sites, park and recreational areas, and wildlife and waterfowl refuges, unless (1) there is no "prudent and feasible" avoidance alternative to using the resource, and (2) the project includes "all possible planning" to minimize harm resulting from the use. 49 USC § 303(c); 23 CFR §774.

Both of these provisions have been ignored in the selection of the Project route until this court ordered review of the Beretania Street Tunnel Alternative that avoids using and substantially impacting Section 4(f) properties and resources.

Figure 26 shows that some of the Chinatown rail station will be in a parking lot within the identified TCP Chinatown Special District but does not provide any information on the exact location of the parking lot, the dimensions of the station or discuss impacts to adjacent buildings, the physical and visual connection between Chinatown and the Honolulu waterfront and impacts to the features and attributes of the TCP Chinatown Special District.

HTF-1

HTF-1

Please see Common Response 11 in Section 5.2.4 of the Final Supplemental Environmental Impact Statement/Section 4(f) Evaluation [EIS/4(f)] regarding comments outside of the scope of the Supplemental EIS/4(f). Design of the Chinatown Station was addressed in the Honolulu High-Capacity Transit Corridor Project Final EIS/4(f). Impacts to historic properties were discussed in Section 4.16.3 of the Final EIS/4(f).

Since no Traditional Cultural Properties (TCP) other than Chinatown were identified in this SDEIS/4(f) does that mean that no TCPs were discovered along the 20-mile rail corridor?

HTF-2

HTF-2

Please see Common Response 4 in Section 5.2.4 of the Final Supplemental EIS/4(f).

Does the statement *Any identified TCPS would be evaluated in accordance with 36 CFR 800 and any use would be documented in a supplement to the Project's Record of Decisions* mean that investigation into the existence of TCPs within the Project corridor is not complete? Does this statement mean that the general public will not have an opportunity to comment on any newly discovered TCPs?

HTF-2
(cont.)

Comparing the number of 4(f) properties along the Beretania Street Tunnel Alternative extended rail route to the University of Hawai'i with the number of 4(f) properties along the Project route that ends at Ala Moana Center is comparing apples with oranges.

HTF-3

If the Beretania Street Tunnel Alternative evaluated 4(f) properties went from Ka'aahi Street to Keaauomoku, which goes into Ala Moana Center then the number of 4(f) properties is reduced to approximately 22 from the inclusive number of approximately 51 properties.

The SDEIS4/(f) labels the properties along the Beretania Tunnel Street corridor as historic but does not provide any information on the features, activities or attributes that qualifies each property for listing on the National Register of Historic Places.

HTF-4

By comparison impacts to and use of 4(f) property along the Beretania Tunnel Alternative such as King Florist (NRHP eligible), McKinley High School (NRHP listed), OR&L Office/Document Storage Building and Terminal Building (NRHP listed) and the former filling station within OR&L Parcel (HRHP eligible), which will be impacted to some extent by both routes pales in comparison to the physical and historical connection that will be lost to large overhead support columns and overhead guideway that will replace historic character-defining views of Honolulu harbor from TCP Chinatown Special District.

HTF-5

FHWA's 4(f) regulations have identified examples of situations where constructive use occurs because a project's proximity will "substantially impair esthetic features or attributes" of a protected site. §774.15(e)(2).

Examples include citing a project so close that it "obstructs or eliminates the primary views of the primary views of an architecturally significant historical building, or substantially detracts from the setting of a Section 4(f) property which derives its value in substantial part due to its setting."

The Project along Honolulu's historic waterfront will disrupt views, protected settings and visually and physically separate the historical connection of three Honolulu Harbor NFTP listed properties, Piers 10 and 11 Maritime Passenger Terminal, Aloha Tower, Irwin Memorial Park from historic TCP Chinatown Special District

HTF-6

The currently uninterrupted views from the historic Honolulu waterfront makai toward Downtown Honolulu and Punchbowl will be obscured by the elevated Project. One of the requirements of Hawaii's Coastal Zone Management Act (CZM) is to protect historic and scenic resources and insure that new developments are compatible with their visual environment. Clearly the Project is not compatible with the protection of the with Hawaii's CZMA and impacts the features and attributes that connect Honolulu's waterfront with Downtown.

HTF-3

Please see Common Response 1 in Section 5.2.4 of the Final Supplemental EIS/4(f) regarding evaluation of a shortened Beretania Street Tunnel Alternative. The scope of this Supplemental EIS/4(f) is limited to the evaluation and findings under Section 4(f) of the Department of Transportation Act related to whether the Beretania Street Tunnel Alternative is a feasible and prudent avoidance alternative per the District Court Order on Cross Motions for Summary Judgment. The Summary Judgment did not require an examination of additional alternatives.

Please see Common Response 6 in Section 5.2.4 of the Final Supplemental EIS/4(f) regarding least overall harm analysis. This does not change the fact that the Beretania Street Tunnel Alternative is not prudent.

HTF-4

Descriptions of the historic properties are included in Table 2 of the Draft Supplemental EIS/4(f). Please see Common Response 9 in Section 5.2.4 of the Final Supplemental EIS/4(f) regarding evaluation of historic properties along South King Street.

HTF-5

Please see Common Response 6 in Section 5.2.4 of the Final Supplemental EIS/4(f) regarding comparison of harm between the Beretania Street Tunnel Alternative and the Project.

HTF-6

Section 4(f) use analysis for the Project was completed in the Final EIS/4(f) issued in June 2010. In the ROD issued January 2011, FTA included use determinations for Section 4(f) properties. Please see Common Response 11 in Section 5.2.4 of the Final Supplemental EIS/4(f) regarding comments outside of the scope of the Supplemental EIS/ 4(f).

Should the Project proceed along the Honolulu waterfront and the Chinatown rail station constructed development pressures to allow greater density and height in keeping with Transit Oriented Development planned will plague Chinatown and it will be a continuing battle to protect the cultural and historical integrity of the TCP Chinatown Special District.

The Project's cumulative adverse visual and aesthetic impacts to the Honolulu waterfront and its historic sites would conflict with established policy documents, specifically the Oahu General Plan (Objective B, Policies 2 and 3; Objective E, Policies 4,s and 9)) the Primary Urban Center Development Plan (Objective 3.1.2 and Policy 3.1.2) and the Revised Ordinances of Honolulu (Chapter 21, Article 9, Section 21-9.60), as follows: Substantially visually changing and contextually impacting the entire Downtown Honolulu Waterfront area, which is both a historic and scenic asset.

While not directly connected to Honolulu Harbor the NRHP listed Dillingham Transportation Building will be substantially impaired by the Project since an elevated rail station will be placed directly adjacent to the building substantially impairing esthetic features and attributes of this protected building.

Collectively the negative impacts caused by the Project's proximity to protected 4(f) sties, clearly constitutes a "constructive use" of these protected sites. 23 CFR §774.17.

Mother Waldron Park

In the late 1800s to early 1900s, the Pohukaina School, located adjacent to Mother Waldron Park, served as a school for the illegitimate offspring of Hawaiian women and foreign men. One of the teachers at Pohukaina Schools was Margaret Waldron, who taught at Pohukaina for 18 years until her retirement in 1934.

Margaret Waldron, a Hawaiian-Irish orphan raised by the Judd and Castle families, philosophy was simple, "Never help anybody who isn't willing to help someone else. When I help anyone, I make him promise to pay for it. But they don't pay me directly; they pay me by promising to do as much or more for the next person in need."

She was noted for her volunteer work in Kaka'ako, and was generally credited with being the individual who had the most influence in transforming the so-called 'Kaka'ako gangs' into law abiding groups and wiping out the unsavory reputation which at one time defined the district.

After school Margaret Waldron organized football games, sewing classes and cooking clubs. She obtained swim trucks and built a changing shack for the "wharf rats," children who were naked when they dived for coins thrown by ship passengers at Aloha Tower. Most of the "wharf rats" as they were called were her students.

For her 50th birthday the children of Pohukaina School gave her a pin that said "mother." She wore that pin every day for the rest of her life. As she was dying in 1936 huge throngs of people of all races came to pay their respects to the "patron saint" of Kaka'ako.

HTF-7

Cumulative effects of the Project were evaluated in Section 4.19 of the Final EIS/4(f) and considered in the Programmatic Agreement, which was executed between the FTA, the SHPO, the Navy, HART and the ACHP on January 18, 2011. As documented in Section 4.2 of the Final Supplemental EIS/4(f), FTA determined that the Project would not create a constructive use.

HTF-7

The following year, when a new 1.76-acre playground was constructed across Coral Street from Pohukaina School, the Honolulu Board of Supervisors authorized the park's designation as "Mother Waldron Playground."

Noted architect Harry Sims Bent, who in addition to designing parks was involved in the design or construction of the C. Brewer Building, residences of former Governor Carter and Clarence Cooke, designed the Mother Waldron Playground, which opened in September 1937. All of these properties are listed in the NRHP.

Bent began working for the Honolulu Park Board in 1933. In addition to Mother Waldron Playground he designed Kawanamoa Playground, Lanakila Park comfort station, Kalihi-Waena Playground, Haleiwa Beach Park structures, the Ala Way Clubhouse and the Park Service Center by Kapiolani Park. His park designs are typical of the period and represent the work of a master and possess high artistic value.

Mother Waldron and Kawanamoa Playgrounds are associated with the ideology of the playground movement through their locations and utilitarian designs. Although a number of playgrounds were developed in Honolulu between 1911 and 1938, **these are the only two to retain their historic integrity.**

On the National Register of Historic Places Mother Waldron Park is significant for its associations with the playground movement, architectural significance and association with the work of Margaret Waldo in the Kaka'ako district. The playground is identified as "an ideal example of the small neighborhood playground."

Shifting from an initial desire to get children off the streets, the playground movement evolved in the first two decades of the twentieth century into a well-organized and articulate national crusade. Its proponents saw the playground not only as a refuge from urban perils, but also as a place of social reform. They believed play had educational value with the social mission of playgrounds emphasized in playground literature across the nation and in Honolulu.

In Hawaii, as elsewhere, the goal of playground activities not only included vigorous physical exercise and mental satisfaction, but also the ability to work as a team member, to strive for high ideals and to provide usable play space close to home in the densely populated sections of the City.

The Project will substantially change views and contrast with the scale and character of the surrounding environment with overall visual effects high and views of the horizon partially and permanently blocked.

Mauka views from the park at Halekauwila Street and Cooke Street and the pedestrian oriented streetscape conflict with the bulk and scale of the rail guideway and columns.

The Project route along Halekauwila Street immediately adjacent to the historic NRHP Mother Waldon Park diminishes its historic character and integrity and usefulness and attraction as vital recreation open space for the area's growing population

HTF-8

HTF-8

Mother Waldron Playground is not currently listed in the National Register of Historic Places (NRHP). FTA found the playground eligible for listing and a listing form has been prepared for submission to the Keeper of the Register. As the Draft Supplemental EIS/4(f) stated in Section 4.1.2, Mother Waldron Playground was listed on the Hawai'i Register of Historic Places on June 9, 1988 (prior to the Halekauwila Street realignment and the construction of an apartment building on part of the playground) as an element of the thematic group "City & County of Honolulu Art Deco Parks." The state listing noted the park as significant for its associations with the playground movement, both nationally and locally, as well as its architectural and landscape design by Harry Sims Bent. As documented in the Final Supplemental EIS/4(f), FTA and HART have submitted an NRHP nomination form to the SHPO. The NRHP nomination form has been included in Appendix D of the Final Supplemental EIS/4(f).

HTF-9

HTF-9

Visual impacts of the Project were addressed in Section 4.8 of the Final EIS/4(f). Please see Common Response 7 in Section 5.2.4 of the Final Supplemental EIS/4(f) regarding impacts to Mother Waldron Park and Playground.

The condition and appearance of Honolulu's streets and public open spaces are important factors in, and essential attributes to, the visual character and quality for which Honolulu is known. Significant views and vistas in policy documents include protected mauka and makai views as well as views of prominent landmarks, and the environmental visual character and quality must be fully assessed along with any potential physical impacts.

Figure 42 cites Queen Street's narrow right-of-way between Coral Street and Ward Avenue and the need for full or partial acquisition of 39 parcels, including three historic properties as reasons to eliminate the Queen/Cooke Street alternative but does not identify the properties that require partial or full acquisition. Nor does it provide the cost of each acquisition, or direct, indirect and cumulative impacts to the properties and businesses or residences or from acquisition.

The SDEIS/4(f) does not provide any information on the activities, features or attributes that qualify the three properties for listing. Without this information the Queen/Cooke Street alternative remains a viable alternative to the use of Mother Waldron Park.

The SDEIS/4(f) states that the "current perimeter wall and benches are not contributing elements to the historic site and therefore are not subject to protection as historic elements of the park" but provides no information on whether the new wall and benches architectural design allows them to be considered as historic elements. Before this SDEIS/4(f) is accepted documentation must be provided showing that these features do not qualify as historic elements.

The Project "substantially impairs" the protected features and attributes of Mother Waldron Park including the unique zig-zag wall at the 'Ewa end of the park adjacent to the 690 Pohukaina development, the art deco and modern design and the use of local materials such as coral, sandstone and "boulder concrete" a form of concrete extended through liberal use of coral and lava rock filler. All are features and attributes that qualify Mother Waldron Park for protection under Section 4(f), §774.15.

The Project "substantially impairs" the protective activities, features, and attributes of the burial site within Mother Waldron Park, which because of its connection to 'iwi is sensitive to proximity impacts on the burial site that would be caused by the project. §774.15(a)

Attachment A shows where 17 burials removed from other locations are re-interred. This burial site a prominent feature at the Cooke and Halekauwila Streets of Mother Waldron Park

The burial site within Mother Waldron Park was selected as the best location to re-inter 'iwi discovered and removed from other locations. The Project will "use" Mother Waldron park since the Project's proximity will "obstruct...and substantially detract(s) from the setting of a Section 4(f) property which derives its value in substantial part due to its setting" §774.15(e)(2).

Attachment B shows the close proximity of a column to the burial site within Mother Waldron Park, which is on the National Register of Historic Places.

The close proximity of the Project to the burial site constitutes "constructive use" and substantially impairs the esthetic features and attributes" of the burial site. §774.15(e)(2).

HTF-10 The Project would not constructively use Mother Waldron Neighborhood Park, and therefore, no avoidance alternative is required. Even so, alternatives to an alignment near Mother Waldron Neighborhood Park were considered, as discussed in Section 4.3 of the Draft Supplemental EIS/4(f). The Queen Street Shift Alternative is not an avoidance alternative to the use of Section 4(f) property. The analysis found that the Queen Street Shift Alternative would result in the Section 4(f) use of historic properties. Section 4.3 identifies two properties, Kewalo Theatre and Island Roses, that would have to be demolished. If the Queen Street Shift Alternative were perused, additional evaluation would be required.

HTF-11 Section 4.1.2 of the Supplemental Final EIS/4(f) describes the significant historic features that are protected under Section 4(f). The NRHP nomination form submitted to the State Historic Preservation Officer is included in Appendix D to the Supplemental Final EIS/4(f). Please see response DOI-4 for additional information.

HTF-12 Please see Common Response 7, explaining the determination that the Project would not constructively use Mother Waldron Neighborhood Playground because it would not substantially impair protected features and attributes.

HTF-13 The reinterment site has not been determined eligible for or listed in the NRHP. Under the relevant criteria, set forth at 36 CFR 60.4, it would not be eligible for listing because " [o]rordinarily cemeteries, birthplaces, or graves of historical figures, properties owned by religious institutions or used for religious purposes, structures that have been moved from their original locations, reconstructed historic buildings, properties primarily commemorative in nature, and properties that have achieved significance within the past 50 years shall not be considered eligible for the National Register". Because the site is not eligible for listing in the NRHP, it does not meet the definition of a Section 4(f) property per 23 CFR 774.

The statement "The park is surrounded by open lots, a large surface parking lot, warehouses, and low-and high-rise residential buildings" presents current conditions and gives the false impression that there will not be major impacts to Mother Waldron Park from current and future development.

Attachment C is two pages from the Honolulu Magazine August 2004 article *Can We Make Honolulu Cool?* shows how Transit Oriented Development prompted by the Project will impact Mother Waldron Park.

In *Attachment C* then director of Honolulu's Department of Planning and Permitting states "*Mother Waldron Park provides some pleasant, if pointless, green relief...*" There is no mention of the historical and cultural significance of Mother Waldron Park just the assumption that it has out lived its usefulness. (Emphasis added)

Attachment C in the same article shows what Mother Waldron could turn into and notes "*Since it now serves a neighborhood, Mother Waldron Park is shown here enhanced with points of interest (4) and places to sit and linger.*" Again there is no mention of Mother Waldron's historical or cultural significance or that it is on the National Register of Historic Places or contains 'iwi (bones) that were re-interred in the park at the corner of Cooke and Halekauwila Streets.

Attachment D are the first 2 pages of an RFP from the State Hawai'i Community Development Authority No. RFP-HCDA02-2012 January 19, 2012 for Mixed-Use Transit Oriented Development (TOD) Project at 690 Pohukaina Street, 690 Pohukaina, adjacent to Mother Waldron Park, which will be the tallest building in Hawai'i. TOD in Kaka'ako is driven by the Project. Without rail going through Kaka'ako there is no TOD and no impact on Mother Waldron Park from the Project or TOD.

Attachment E shows how Mother Waldron Park is dwarfed by the adjacent development called 690 Pohukaina. Add the Project along Halekauwila Street and Mother Waldron Park becomes encapsulated by development all without any thought of how to protect and preserve the features and attributes of this historic park

Attachment F shows anticipated TOD surrounding the Project and how Mother Waldron Park will get lost in the maze of Transit Oriented Development.

The Project will cause long-term permanent harm that will increase in scale over time as Transit Oriented Development is implemented around Mother Waldron Park.

Conclusion

The language of Section 4(f) shows that Congress intended the protection of parks such as Irwin Memorial Park and Mother Waldron Park and historic sites such as Aloha Tower, Piers 10 and 11 Maritime Passenger Terminal, Dillingham Transportation Building and TCP Chinatown Special District be given "paramount importance" in the planning of federal transportation projects

HTF-14

Please see Common Response 8 in Section 5.2.4 of the Final Supplemental EIS/4(f).

HTF-14

The negative impacts of the Project on historical properties will be substantial, and extend well beyond the obvious harm caused by taking of land or construction within the Project's footprint as shown by the impacts from the Project on the visual and physical connectivity of the Honolulu waterfront and the TCP Chinatown Special district

HTF-15

HTF-15

The effects of the Project on historical properties were addressed in Section 4.16.3 of the Final EIS/4(f) and the SHPO concurred with the effect determinations; measures to mitigate the adverse effects were included in the PA, which was executed between the FTA, the SHPO, the Navy, HART and the ACHP on January 18, 2011.

Under Section 4(f), use of parklands may not be authorized for the Project unless the FTA determines that "[t]here is no prudent and feasible alternative," as defined in Section 774.17, to the use of land from the 4(f) property; and [t]he program or project includes all possible planning, as defined in Section 774.17, to minimize harm to the property resulting from such use."

The designation of 4(f) sites includes the preservation and protection of view planes. An intrusive transportation system such as the Project must consider all of the affects to the above 4(f) properties before a design and route are considered.

HTF-16

HTF-16

Visual effects of the Project were addressed in Section 4.8.3 of the Final EIS/4(f).

The Beretania Street Tunnel offers a "prudent and feasible" alternative. An alternative, which was never seriously considered until court ordered but an alternative that would avoid "use" of and adverse, direct, indirect, cumulative and substantial impacts to Section 4(f) resources at Mother Waldron Park and Honolulu's historic waterfront and TCP Chinatown Special District.

HTF-17

HTF-17

Please see Common Responses 5 and 6.

7

Mother Waldron Park (Cooke and Halehauwili Streets), 17 burials



A



Figure 38. Existing View and Simulation of Elevated Guideway In Relation to the Mauka Boundary of Mother Waldron Neighborhood Park

*Draft Supplemental Environmental Impact Statement/Section 4(f) Evaluation
Honolulu Rail Transit Project*

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May 2013*

B

into an impervious surface that creates polluted runoff. These development patterns also cause people to drive long distances. Even as we crank down on tailpipe [emission] standards and make each mile cleaner, if you drive double the miles, we're fighting a losing battle."

Nationwide, the EPA promotes smart growth, because it preserves open space and provides transportation alternatives.

Locally, the city often talks about "keeping the country country." As Crispin says, "We can't keep paving paradise and putting up parking lots."

Some of this is pure rhetoric. There already is a growth boundary around the Ewa plain that confines development to former sugar lands, specifically to keep development from "paving paradise." These lands haven't served a natural ecological function since before the rise of sugar plantations in the 1800s. They've been ploughed, irrigated, fertilized, pest-controlled, burnt to the ground routinely, all in pursuit of a monocrop-in short, land so removed from paradise as to be deemed fit only for banana habitation.

A Car of One's Own?

Traffic congestion is, to some people, sprawl's greatest sin. It is certainly the average commuter's daily misery. At HONOLULU's meeting with the city and its partners, everyone agreed that traffic has gone from bad to worse, with worse still to come.

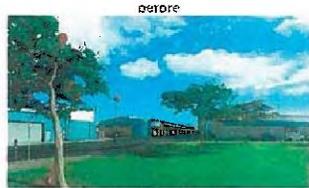
What can smart growth do about all this traffic? Within Kapolei and the Ewa plain, it might help, up to a point. Chazler points out that the "pod" developments of present-day Kapolei are not even car-friendly.

Hundreds of homes in self-contained clusters curlicue around cul-de-sacs and dead ends, all of these local streets converging on Fort Weaver Road at exactly one intersection. "Developments in Ewa aren't connected to each other, even when they're built by the same developer," he says.

The developments aren't connected to nearby commercial centers, either. This turns every little trip for a quart of milk, or to take your child to visit a school friend two developments over, into a car trip on the same road everyone else is using. Consequently, arterials like Fort Weaver Road are choked with local traffic when they were supposed to serve people traveling in and out of the region. "There aren't nearly enough collector and connector roads out there," says Chazler. "There aren't enough alternative routes."

That quart of milk comes up often when the city gives smart-growth presentations. In these talks, the quart of milk is invariably retrieved by a solo driver in an SUV. Fair enough. But the city's own smart-growth consultants are saying that these milk runs jam up the roads, because there are too few roads, too poorly planned.

In fact, it can be argued that Hawai'i has yet to even try road building to mitigate traffic. According to U.S. census data, Hawai'i has the nation's lowest supply of urban highways for urban dwellers. (Honolulu has 1,835 miles of urban highways for 876,000 residents, or 1.1 highway feet per resident. The national average is 20 highway feet per urban resident.)



Cooke Street and Mother Waldron Park
These Kaka'ako warehouses are what Eric Crispin, AIA, the city's director of planning and permitting, calls a "remnant land use." Their existence dates back to a time when a separate warehouse district was needed to supply the nearby Honolulu business district. Mother Waldron Park provides some pleasant, if pointless, green relief—it's a neighborhood park without a neighborhood. (The park's name is a nod to Mother Waldron, a 19th-century missionary.)

factor."

On O'ahu, where the median price of a single-family home is steadily approaching \$500,000, we might be more allergic than Portland to higher housing prices.

So is it smart, or not?

By now you might be thinking smart growth is a horrible mistake.

Maybe. But what about those pictures? Look at that projection of what Kaka'ako could look like. Look at what Liliha Street could look like. Either photo illustration also demonstrates what Kapolei could develop into.

Don't those places, those imagined, future Honolulu, look cool?

OK. These images are obviously advertisements, such building immaculate, every pedestrian grinning. "Smart growth" itself is a sales slogan, snugly insisting that what has gone before is dumb, dumb, dumb. A skeptic might resist the urge to put smart growth in quotes every time it pops up.



Cooke Street and Mother Waldron Park

Using the higher-density, mixed-use approach of smart growth, the city thinks this bleak warehouse district could look like this instead. Shown here are mid-rise developments that fill their blocks, with parking in the center of the blocks and the human elements brought out to the sidewalks. The building at left (1), could combine apartments and offices over a ground-floor shopping arcade, shaded by trees. At the right, another building holds apartments and offices over ground-floor restaurants (2). The resulting neighborhood has about the same building heights and density of such cities as Paris or Amsterdam.

Key to the smart-growth approach is bringing major amenities within walking distance of residents—note the full-size Foodland supermarket at the bottom of the center residential/office building (3).

Since it now serves a neighborhood, Mother Waldron Park is shown here enhanced with points of interest (4) and places to sit and linger (5).

Slater is right that planners fetishize old European cities. The planners HONOLULU spoke with actually brought up Paris and Amsterdam as ideals to strive for. But it may not be such an uncommon experience for locals who travel to older cities such as New York, Chicago or San Francisco, if not Paris or Madrid, to look around at the shops, restaurants, museums, salons, art galleries, nightclubs, apartments, coffee houses, boutique fashion stores, dry cleaners, Virgin Megastores and used-book shops, side by side, in a swirl of delightful urban diversions and say, "How come Honolulu isn't like this?"

Smart growth, say its advocates, could make Honolulu, or Kapolei, like that.

Under current regulations, the city hasn't even allowed this kind of experiment. Crispin insists that when the city talks up smart growth, it isn't proposing a new set of restrictions, such as banning single-family homes in favor of row houses, or injecting commercial developments into Old Kihala. "All we want to do is add the possibilities of smart growth to our existing codes so people can try it as we build out Kapolei and redevelop the primary urban core of Honolulu."

3 Pohukaina RFP

View Comments (0) Add Comments



Hawaii Community Development Authority
 DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT & TOURISM
 STATE OF HAWAII
 REQUEST FOR DEVELOPMENT PROPOSALS
 No. RFP-HCDA02-2012
 January 18, 2012
 COMPETITIVE SEALED PROPOSALS
 FOR
 Mixed-Use TOD Project at
 690 Pohukaina Street
 Kakaiko Mauka, Honolulu, Hawaii

Anthony J.H. Ching
 Executive Director
 Hawaii Community Development Authority

NOTICE TO DEVELOPERS
REQUEST FOR PROPOSALS

FOR PLANNING, DESIGN, CONSTRUCTION, FINANCING, AND OPERATION OF A MIXED-USE PROJECT at 690 POHUKAINA STREET, KAKAIAKO, HAWAII

The State of Hawaii, Hawaii Community Development Authority (HCDA) invites proposals from qualified Developers to enter into a real estate development agreement for planning, design, construction, financing, and operation of a mixed-use Transit Oriented Development project at 690 Pohukaina Street, Kakaiko Mauka, Honolulu, Hawaii (T.M.K.: 2-1-51-041).

Developers intending to respond to this Request for Proposals (RFP) are required to purchase the proposal documents and pay to the HCDA a non-refundable fee of FIVE HUNDRED AND NO/100 DOLLARS (\$500.00). The fee shall be in the form of a cashier's or certified check made payable to "Hawaii Community Development Authority".

To review a copy of the RFP, interested parties can download by accessing the State Procurement Office website page at: www.spo.hawaii.gov or at the HCDA website at: www.hcdaweb.org. It is the responsibility of interested offerors to monitor the HCDA website for any addenda issued by HCDA.

Copies of the RFP are also available for viewing and purchase at the address listed below between the hours of 8:30 a.m. to 4:00 p.m., Monday through Friday, except for State holidays.

A pre-proposal conference is scheduled for February 18, 2012 to answer any questions pertaining to this RFP. Deadline for written inquiries to HCDA which are to be answered at the Pre-Proposal Conference is February 13, 2012.

All Developers intending to submit a proposal for this RFP, shall submit a mandatory "Notice of Intent to Offer" letter, by February 28, 2012. The Notice of Intent letter shall be accompanied with a corporate resolution or "authorization to sign".

One (1) original and five (5) copies of the proposal are due and must be received by HCDA on or before 2:00 p.m. HST, on May 29, 2012. The Proposal shall be accompanied by an Offer Form as designated in the RFP. Proposals should be mailed or hand

D

delivered to:

Mr. Anthony Ching, Executive Director
Hawaii Community Development Authority

481 Cooke Street
Honolulu, Hawaii 96813

HCDA reserves the right to amend this RFP by written addenda, to amend the schedule provided herein, or to reject any and all proposals where HCDA deems it is in the best interest of the State of Hawaii.

For more information, contact Mr. Deepak Neupane, Director of Planning & Development, (808) 594-0338.

Anthony J.H. Ching
 Executive Director
 Hawaii Community Development Authority

RFP-HCDA01-2012
Advertised:
Internal Posting at www.spo.hawaii.gov
HCDA website

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NOTICE TO DEVELOPERS

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Rendering: Courtesy HCDA
 There will be three towers at 690 Pohukaina St., with the tallest standing 650 feet high, about 50 percent taller than Hawaii's current highest building. Here's what's planned for the three towers:

Hawaii Business 9/2012

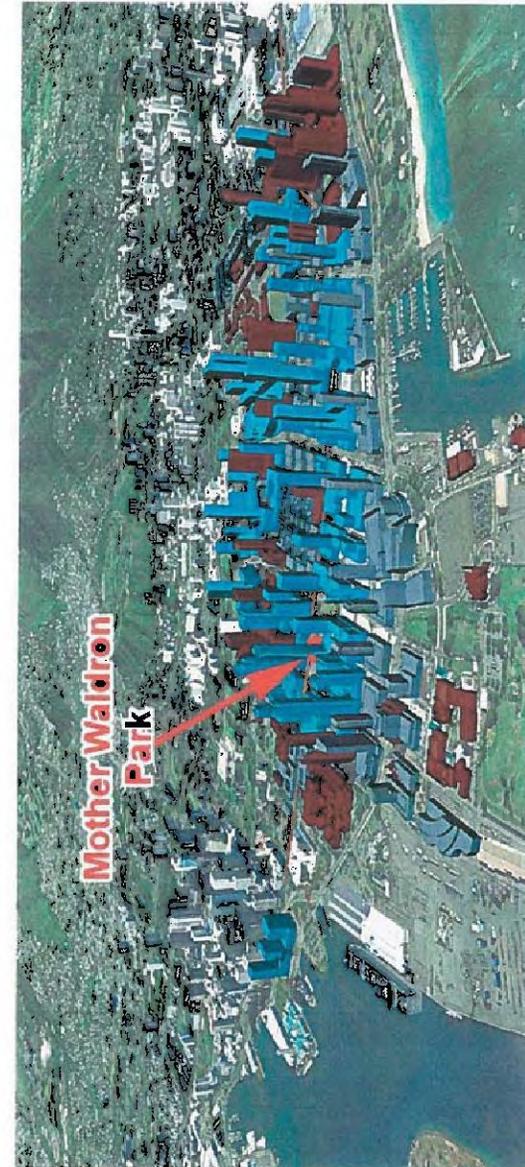
Biggest Project

This month, the Hawaii Community Development Authority will begin evaluating bids from local, mainland and foreign developers who want to create the state's signature project at 690 Pohukaina St.

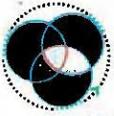
The 650-foot tower alone, on a lot also bounded by Keawe and Halekauwila streets, will include hotel rooms, market-price condos, offices and street

level shops. Construction of the total development, estimated to cost a half-billion dollars and

E



F



Development scenario of build-out under the TOD Overlay Plan. An array of taller, slender towers are envisioned near by the Civic Center, and Kaka'ako Transit Stations.
Image from VIA Architecture

Design: Urban Form and Neighborhood Patterns

The TOD Overlay Plan encourages a new diversity of high-rise types – in selected areas introducing a hierarchy of building form. New guidance will also be established to better address views and aesthetics for taller buildings. Together, these buildings will create a skyline of views through and between towers, as well as green spaces on podiums that will enhance views down from neighboring buildings and residential areas on the slopes of Punchbowl, Makiki and Pacific Heights. The sensitive application of height allowance paired with quality streetscape design can produce the characteristics of a comfortable pedestrian-oriented comfortable environment on the ground plane, while adding to the overall capacity in Honolulu's primary urban center.

- **Urban Design to support Transit Integration** – Introduces policies for the collaboration on the design and construction of the HART system.
- **Skyline and Views** - Provides policy for HCDA to add additional guidance for framing and focusing views
 - Apply best practices to advance the development of well-sited, tall, slender towers, and encourages a diversity of high-rise types and a hierarchy of building form.
 - Introduces new high rise tower types that permit a limited number of buildings to reach 550'.
- **Iconic Buildings** - The Plan seeks to introduce opportunities for a limited number (up to three) of exemplary Iconic buildings with exceptional public benefit.
 - Buildings heights up to 700'
 - One building allowed in Auahi, Thomas Square District (Blaisdell Center area), and Pauahi



Forest City Rendering of 690 Pohukaina Project Proposal
Image from Forest City

F



HART

July 19, 2013

'13 JUL 23 P 2 :20

Mr. Daniel A Grabauskas
Honolulu Authority for Rapid Transportation
City and County of Honolulu
1099 Alakea Street, Suite 1700
Honolulu, Hawaii 96813

Dear Mr. Grabauskas:

Subject **Draft Supplemental Environmental Impact
Statement/Section 4(f) Evaluation
Honolulu Rail Transit Project**

Thank you for the opportunity to comment on the subject project. Hawaiian Electric Company has no objections to the project. Should HECO have existing easements and facilities on the subject property, we will need continued access for maintenance of our facilities.

We appreciate your efforts to keep us apprised of the proposed project planning process. As the Honolulu Rail Transit project Beretania Street Tunnel Alternative and Mother Waldron Neighborhood Park portions comes to fruition, please continue to keep us informed. Further along in the design, we will be better able to evaluate the effects on our system facilities.

If you have any questions, please call me at 543-7245.

Sincerely,

Rouen Q. W. Liu
Permits Engineer

cc: Mr. Ted Matley (FTA Region IX)

HECO-1 The FTA and HART appreciate the Hawaiian Electric Company (HECO)'s interest in the Honolulu Rail Transit Project. HART will continue to coordinate with HECO.

HECO-1



HART

'13 JUL 22 P 3 :03

July 22, 2013

Mr. Ted Matley
FTA Region IX
201 Mission Street, Suite 1650
San Francisco, CA 94105

Mr. Daniel A. Grabauskas
Honolulu Authority for Rapid Transportation
City and County of Honolulu
1099 Alakea Street, Suite 1700
Honolulu, HI 96813

Dear Messrs. Matley and Grabauskas,

Enclosed is a petition signed by 168 I Mua Rail supporters in support of the draft supplemental environment impact statement for the Section 4(f) evaluations of the Beretania Street Tunnel Alternative and Mother Waldron Neighborhood Park. A copy of the online petition is also enclosed for your reference.

These 168 signatories affirm their commitment to the Honolulu Rail Transit Project and concur with the draft SEIS' assessment that the Beretania Street Tunnel Alternative will be too costly and imprudent.

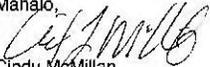
I Mua - 1

I Mua-1

The FTA and HART appreciate the commenter's interest in the Honolulu Rail Transit Project and recognize the support for the Project.

I Mua Rail is a multimedia campaign of the Pacific Resource Partnership, created to provide a venue for the busy, working residents of Hawaii to voice their support for the Honolulu Rail Transit project and the many economic, environmental, and societal benefits it will bring.

Mahalo,


Cindy McMillan
I Mua Rail Spokesperson



[WHY WE NEED RAIL](#) | [RAIL FAQS](#) | [RAIL FACTS](#) | [ABOUT US](#) | [PRESS ROOM](#)

[Contact](#)   

TRAVEL STRESS-FREE AND ON TIME, EVERY TIME

Express your support for the draft SEIS!

The Honolulu Authority for Rapid Transportation has explored a myriad of options in the initial draft environmental impact statement (SEIS), and concluded that the Beretania Street Tunnel Alternative would be costly and imprudent. With construction slated to restart this Fall, it is critical that we work together to help keep rail on track. Sign your name below to support the draft SEIS.

I am a supporter of rail, and I support the recent draft SEIS, which concludes that the Beretania Tunnel Street Alternative would be too costly and imprudent.

First Name*
 Last Name*
 Email*
 Street
 City
 State/Province
 Zip/Postal Code*

[Why We Need Rail](#) | [What's New](#) | [Get Involved](#) | [About Us](#) | [Press Room](#) | [Contact Us](#) | [Privacy](#)

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Signatories to I Mua Rail online petition in support of the draft SEIS on the for the Section 4(f) evaluations of the Beretania Street Tunnel Alternative and Mother Waldron Neighborhood Park

First Name	Last Name	City	State	Zip
Georgette	Stevens	Kapolei	HI	96707
Christopher	Giannaris	Honolulu	HI	96813
Harvey	Rumbaoa	Kapolei	HI	96707
Eddie	Biano	Aiea	HI	96701
Warren	Hiromoto	Waipahu	HI	96797
Eben	Chun	Honolulu	HI	96816
Barbara	Anderson	Kaliua	HI	96734
Brian	Fong	Mililani	HI	96789
Warren	Amaral	Honolulu	HI	96814
Gilbert	Cummins	Waipahu	HI	96797
John	Park		HI	96797
Paul	Koko	Honolulu	HI	96817
Ernida	Caraang	Honolulu	HI	96819
Warren	Hiromoto	Waipahu	HI	96797
Dean	Sensui	Mililani	HI	96789
Mignonette	Agustino-Flora	Kapolei	HI	96707
Robert	Shohan	Honolulu	HI	96822
Len and Terri	Lantych	Waipahu	HI	96797
Allen	Perkins	Honolulu	HI	96825
Timothy	White	Honolulu	HI	96825
Kae	Toguchi	Mililani Town	HI	96789
Gerard	Sakamoto	Honolulu	HI	96817
Richard	Cheney			96819
Karin	Gill	Honolulu	HI	96822
MEL	SAIKI	MILILANI	HI	96789
MEL	SAIKI	MILILANI	HI	96789
Timothy	Lui-Kwan	Honolulu	HI	96817
Arnold	Kameda	WAIPAHU	HI	96797
Douglas	Shanefield	Honolulu	HI	96816
Leslie	Kuriki	AIEA	HI	96701
Lillian	Ching	Kaneohe	HI	96744
Jose	Rubio	Kapolei	HI	96707
Cesar	Valeron	Kapolei	HI	96707
Steven	Canales	Pearl City	HI	96782
Terry	Matsumoto	Honolulu	HI	96818
Ronnie	Agustin	Kapolei	HI	96707
Lance	Kamada	Waipahu	HI	96797
Gerald	Lai	Mililani	HI	96789
Jeanne	Omaye	Aiea	HI	96701
Judy	Yockman		HI	96706
Ed	Klein	Kaliua	HI	96734
Dennis	Smith	Aiea,	HI	96701
Ricky	TAMASHIRO	Honolulu	HI	96819

Roger	Hasegawa	Mililani	HI	96789
Joseph	Magaldi	Honolulu	HI	96814
Daniel	Stringer	Honolulu	HI	96813
Michael	Golojuch Jr	Kapolei	HI	96707
Charles	Baugh	Honolulu	HI	96813
Robert	McClain	Ewa Beach	HI	96706
Shuzo	Kimura	Milani	HI	96789
Cynthia	Soon		HI	96707
adrian	santos			96797
Daniel	Au	Honolulu	HI	96819
Joseph	Cornor	Honolulu	HI	96815
mark	danielson	Honolulu, Hawaii	HI	96815
Grace	Katakura	Honolulu	HI	96825
frank	tate			96707
Beverly	Tate	Kapolei	HI	96707
Walter	Ingebritson	Kapolei	HI	96707
Dean	Muramoto	Kapolei	HI	96707
Robert	Duncan	Ewa Beach	HI	96706
Ben	Robinson	Honolulu	HI	96815
David	Lato	Honolulu	HI	96822
Hannah	Miyamoto	Honolulu	HI	96813
Paul	Meyer	Honolulu	HI	96822
Bernard	Hvidding	Kapolei	HI	96707
Michael	Fe Benito	Ewa Beach	HI	96706
barry	lienert	Waimanalo	HI	96795
Ricardo	Tubania	Aeie	HI	96701
Ricardo	Tubania	Aeie	HI	96701
Adrian	Bagayas	Pearl City	HI	96782
Betty	Santoki	Aiea	HI	96701
Mr. Reuben A.	Liboy Sr.	Kapolei	HI	96707
Brian	Allen	Mililani	HI	96789
Chris	Tsubaki	Ewa Beach	HI	96706
Steve	Kitazaki	Mililani	HI	96789
Kelly	Toguchi	Honolulu	HI	96817
Wilbur	Luna	Kapolei	HI	96707
Edna	Alikpala	Pearl City	HI	96782
Scott	Craven	HNL	HI	96822
Chris	Lum	Pearl City	HI	96782
T	Choy	Honolulu	HI	96822
Quentin	Redmon	Kailua	HI	96734
Ed	Manglallan	Ewa Beach	HI	96706
Richard	Yoza	Waipahu	HI	96797
Robert	Small	Mililani	HI	96789
Edward M	Liano	New York	NY	10032
Robert	Measel Jr.	Keaau	HI	96749
Lester	Ayakawa	Ewa Beach	HI	96706
Roy	Tanouye	Waipahu	HI	96797

audrey	Mikami	Ewa Beach	HI	96706
Celeste	Rogers	Kapolei	HI	96707
Harold	Schatz	Kailua	HI	96734
Sylvia	Simmons	Honolulu	HI	96817
Edgar	Hamasu	Honolulu	HI	96816
Darek	Kawamoto	Aiea	HI	96701
Josh	Silva	Pearl city	HI	96782
Justin	Menina	Honolulu	HI	96706
charles	williams	kapolei	HI	96707
Curtis	Nishihara	Honolulu	HI	96818
Athan	Adachi	Honolulu	HI	96819
Patrick	Williams	Honolulu	HI	96817
Br. Jack	Isbell, OFC	Honolulu	HI	96817
Glenn	Sugawara	Mililani	HI	96789
Jade	Young	Kapolei	HI	96707
Kenji	Uejo	Pearl City	HI	96782
Doc	Wilson	Kapolei	HI	96730
William	Cook	Kapolei	HI	96707
Randall	Kido	Mililani	HI	96789
Eric	Wright	Mililani	HI	96789
Jeff	Nagashima	Mililani	HI	96789
Emmanuel	Sales Sr.	Waipahu	HI	96797
Melvin	Uesato	Kapolei	HI	96707
Ronald	Fitzgerald	Kailua	HI	96734
Cicero	Bien	ewa beach	HI	96706
CAROL MAE	TAKAHASHI	MILILANI	HI	96789
Minh	Do	Waipahu	HI	96797
Minh	Do	Waipahu	HI	96797
Patricia	Kido	Aiea	HI	96701
I. Robert	Nehmad	Honolulu	HI	96825
tadia	rice	Kailua	HI	96734
Shelby	Lessary	Waipahu	HI	96797
monty	Roque	pearl city	HI	96782
Jennifer	Ross	Honolulu	HI	96816
Emanuel	Aquino	Honolulu	HI	96819
Jeff	Coelho			96734
Bruce	Erber	Waipahu	HI	96797
Larry	Araga	Honolulu	HI	96819
Earl	Aoki	Mililani	HI	96789
Karen	Kobayashi	Aiea	HI	96701
Susan	Moniz	Waipahu	HI	96797
John	Fukumoto	Waipahu	HI	96797
Royce	Tanouye	Ewa Beach	HI	96706
Thomas	Jacobs	Haleiwa	HI	96712
Maria	Farina	Honolulu	HI	96782
Stephen	Mori	Honolulu	HI	96822
Bob	Schuster	Aiea,	HI	96701

Denise	Chillingworth	Honolulu	HI	96817
Melga	Gendrano	Honolulu	HI	96818
James	Kuloiolo	Wailuku	HI	96793
Gary	Hara	Milliani	HI	96789
Alvin	Toda	Pearl City	HI	96782
Bob & Roberta	Nickel	Honolulu	HI	96821
Dennis	Nishiguchi	Honolulu	HI	96816
Richard	oshiro	milliani	HI	96789
RALPH	OTO	Honolulu	HI	96822
Tom	Simmons		HI	96817
Cheryl	Menina	Honolulu	HI	96706
Raul	Menina	Honolulu	HI	96706
Aaron	Hoo	Honolulu	HI	96816
Jean	Zee	Milliani	HI	96789
Ash	Tsuji	Kapolei	HI	96707
Edward	Wolf	Kapolei	HI	96707
Kristina	Wolf	Kapolei	HI	96707
David	Moskowitz	honolulu	HI	96830
Grace	Okutani	Milliani	HI	96789
Richard	Yoshimura	Pearl City	HI	96782
GLENN	YAMANOUCHI	AIEA	HI	96701
Richard	LaJeunesse	Waimanalo	HI	96795
Linda	gonzales	Ewa Beach	HI	96706
don	fasone	waimanalo	HI	96795
Stan	Tsakamoto	Milliani	HI	96789
Chazz	Ragragola	Milliani	HI	96789
Marian	Crislip		HI	96789
Charles	Zahn		HI	96707
Gayle	Hashimoto	Milliani	HI	96789
John	Rogers	Ewa Beach	HI	96706
Doryn	Matsuda	Ewa beach	HI	96706



UNITED STATES DISTRICT COURT

CHAMBERS OF
SUSAN OKI MOLLWAY
CHIEF UNITED STATES DISTRICT JUDGE

DISTRICT OF HAWAII
300 ALA MOANA BOULEVARD, C-409
HONOLULU, HAWAII 96850-0409

HART

TELEPHONE
(808) 541-1720
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July 8, 2013

'13 JUL 10 P2:00

Mr. Ted Matley
FTA Region IX
201 Mission St., Ste. 1650
San Francisco, CA 94105

Mr. Daniel A. Grabauskas
Honolulu Authority for Rapid Transportation
City and County of Honolulu
1099 Alakea St., Ste. 1700
Honolulu, HI 96813

Re: Draft Supplemental Environmental Impact Statement
Section 4(f) Evaluation of Honolulu Rail Transit Project

Gentlemen:

On behalf of the United States District Court for the District of Hawaii, I submit that the Draft Supplemental Environmental Impact Statement ("DSEIS") fails to give adequate consideration to the Beretania Street Tunnel Alternative.¹

In his Order on Cross-Motions for Summary Judgment filed November 1, 2012, Judge A. Wallace Tashima directed that: "Defendants must fully consider the prudence and feasibility of the Beretania tunnel alternative specifically, and supplement the FEIS and ROD to reflect this reasoned analysis in light of evidence regarding costs, consistency with the Project's purpose, and other pertinent factors. . . . Should

¹ In a letter dated May 30, 2012, I previously submitted reasons that the Halekauwila Street route was neither prudent nor feasible, particularly with respect to still unresolved serious security risks to the United States District Court building presented by the proposed route of the Honolulu Rail Transit Project.

Mol-1

The comment refers to a previously-submitted letter stating that security risks to the United States District Courthouse have not been addressed. Security risks were addressed in Section 2.5.4 of the Final EIS/4(f) and through ongoing coordination with the U.S General Services Administration (GSA), which has the statutory responsibility for determining and implementing security requirements for federal facilities, including the United States District Courthouse in Honolulu. The U.S. Marshals Service and Federal Protective Service have stated that they agree that the Project "does not pose any additional threat to the Courthouse beyond that of surface traffic." See FPS and USMS' letter to Senator Daniel K. Inouye, dated October 2, 2009. GSA also agreed, by its letter sent on October 16, 2009, that "this project will not add any additional threat or vulnerability to this federal facility." The FTA and HART have offered security mitigation beyond the requirements of federal security guidelines applicable to the building and its uses. Please see the GSA comment letter and response for additional information (GSA-2).

The comment may be intended to suggest that the feasibility and prudence of the downtown portion of the Project needs to be reexamined. As noted in Section 1.1, the Supplemental EIS/4(f) was prepared to address the requirements of the November 1, 2012 and December 27, 2012 orders of the District Court for the District of Hawaii in HonoluluTraffic.Com v. Federal Transit Administration. The referenced comment was submitted in response to the Draft EIS/4(f) by judges of the District Court (who have recused themselves from the pending litigation). The letter states that the adopted Project alignment in downtown Honolulu is not feasible and prudent. The orders of the District Court in the pending case do not require the Supplemental EIS/4(f) to evaluate whether the adopted Project alignment in downtown Honolulu is feasible and prudent.

The November 1, 2012 Order on Cross Motions for Summary Judgment stated the following with regard to the additional evaluation in the Supplemental EIS/4(f):

"Defendants must fully consider the prudence and feasibility of the Beretania tunnel alternative specifically, and supplement the FEIS and ROD to reflect this reasoned analysis in light of evidence regarding costs, consistency with the Project's purpose, and other pertinent factors." Order on Cross-Motions for Summary Judgment at 27. In other words, the District Court required the City and the FTA to evaluate whether the Beretania Tunnel Alternative was a feasible and prudent alternative to the use of section 4(f) properties (the Chinatown Historic District, and Dillingham Transportation Building) by the approved Project alignment in downtown Honolulu. The District Court also required the City and FTA to reevaluate whether the Project would result in a constructive use of Mother Waldron Park under section 4(f). The District Court did not require the City and FTA to evaluate whether the adopted Project alignment was "feasible and prudent."

Mol-1

Mr. Ted Matley
Mr. Daniel A. Grabauskas
July 8, 2013
Page 2

Defendants determine, upon further examination of the evidence, that their previous decision to exclude the Beretania alternative because it would be imprudent was incorrect, they must withdraw the FEIS and ROD and reconsider the project in light of the feasibility of the Beretania tunnel alternative. . . .” Order at page 27.

Mol-1
(cont.)

The Beretania Street Tunnel Alternative accomplishes the original intended goal of the Honolulu Rail Transit Project, while the Project’s proposed route to the Ala Moana Shopping Center does not. Indeed, under the heading “1.4.1 Purpose of the Project”, on page 12, the DSEIS proclaims: “The purpose of the Honolulu [Rail Transit] Project is to provide high-capacity rapid transit in the highly congested east-west transportation corridor between Kapolei and UH Manoa, as specified in the Oahu Regional Transportation Plan 2030 (ORTP)(OahuMPO 2007).” (Emphasis added.)

Remarkably, the Project’s proposed rail route fails to run along “the highly congested east-west transportation corridor between Kapolei and UH Manoa,” the very corridor expressly identified as the route the Project is intended to serve.

Mol-2

The Project’s proposed rail route does not go anywhere near the UH Manoa campus. Instead, it goes to the Ala Moana Shopping Center! The DSEIS then unrealistically posits that a UH student, after riding the rail to Ala Moana, can transfer to a bus to get to the UH campus and, even including the time spent getting to the bus boarding area and waiting for the bus, arrive within 9 minutes. (See Table 3, page 48 of the DSEIS: Waianae to UH Manoa: Beretania Street Tunnel – 84 minutes; The Project – 93 minutes.)

The DSEIS opines that the Beretania Street Tunnel Alternative will increase the capital cost of the Project by \$960 million (page 61) and add 2 years to its construction duration (page 58). However, the DSEIS fails to opine, or even consider, what the capital cost of the proposed future extension from the Ala Moana Shopping Center to UH Manoa might be. There could be a major cost-saving in implementing the Beretania Street Tunnel Alternative now rather than pursuing a possible two-stage development involving initial construction of the rail route to the Ala Moana Shopping Center and later extension to UH Manoa. In fact, given the economy, sequestration, the loss of Senator Inouye’s influence, and other intervening factors, it is realistic to question whether the extension to UH Manoa will ever be built. It is critical to accomplish the intended purpose of the Honolulu Rail Transit Project “to provide high-capacity rapid transit” by a rail route to UH Manoa now, while we have the best opportunity to do so.

Mol-3

Mol-1
(cont.)

Section 4(f) requires the FTA to evaluate whether there is a feasible and prudent alternative to the use of section 4(f) properties by a proposed transportation project. Thus, the section 4(f) test is whether there is a “feasible and prudent” alternative to the use of a section 4(f) property – not whether the proposed project is “feasible and prudent.” Nevertheless, as documented in the Final EIS/4(f) and as discussed in the District Court’s November 1, 2012 Order, the City and FTA conducted a comprehensive evaluation of the environmental impact of the Project alignment in downtown and determined that the selected Project achieved the purpose and need for the Project. The Final EIS/4(f) also documented the extensive evaluation of alternatives to the Project, including alignment, mode and technology alternatives. The District Court rejected all of the Plaintiffs’ claims that the evaluation of the Project and alternatives to the Project did not comply with the National Environmental Policy Act. See Order on Cross-Motions for Summary Judgment at 29-43. The District Court rejected Plaintiffs’ claim that the FTA did not adequately consider alternative routes that would not locate the Project in the street that is adjacent to the Federal courthouse. Order on Cross-Motions for Summary Judgment at 39.

Mol-2

As noted in Section 1.4.1 of the Draft Supplemental EIS/4(f), the Honolulu Rail Transit Project is intended to provide faster, more reliable public transportation service in the study corridor than can be achieved with buses operating in congested mixed-flow traffic, to provide reliable mobility in areas of the study corridor where people of limited income and an aging population live, and to serve rapidly developing areas of the study corridor. The study corridor, shown in Figure 1-1 of the Draft Supplemental EIS/4(f), extends approximately 23 miles from the Wai’anae coast to beyond UH Mānoa and includes approximately 2/3 of O’ahu’s population. The corridor is confined by the Wai’anae and Ko’olau Mountain Ranges and the Pacific Ocean [Section 1.2 of the Final EIS/4(f)]. While the Project does not reach the Wai’anae coast or UH Mānoa with high-capacity rail, the rail line is part of a comprehensive transit network that serves the entire corridor, connecting to stations and the final terminals with enhanced bus service. Chapter 2 of the Final EIS/4(f) discusses the terminus of the Project. Section 8.6.2 of the Final EIS/4(f) addressed comments on the termini and potential future extension to UH Mānoa.

The analysis of the ability of the Beretania Street Tunnel Alternative to meet Purpose and Need, compared to the Project is presented in Section 3.5.1 of the Draft Supplemental EIS/4(f).

Comparison of each alternative to the No Build Alternative requires reference to Table 7-2 in the Final EIS/4(f), which shows a travel time of 121 minutes without rail transit. As noted in Table 3 of the Draft Supplemental EIS/4(f), the travel time from Wai’anae to UH Mānoa would be 9 minutes longer for the Project than for the Beretania Street Tunnel Alternative, however, both provide a substantial improvement over the No Build Alternative. Also as discussed in Section 3.5.1 of the Draft Supplemental EIS/4(f), other destinations within the corridor are better served by the Project, such as Ala Moana Center, which would require a bus transfer from the Beretania Street Tunnel Alternative.

Mol-2 (cont.) The trade-offs for transit users between the two alternatives are illustrated by the data in Table 3 of the Supplemental EIS/4(f), which show that where rail boardings and transit trips increase by one-percent for the Beretania Street Tunnel Alternative while transit user benefits improve by two-percent for the adopted Project. Cumulatively, the analysis supports the conclusion that both the Project and the Beretania Street Tunnel Alternative would have similar effectiveness at meeting the Purpose and Need.

Mol-3 Please see Common Response 2 in Section 5.2.4 of the Final Supplemental EIS/4(f).

As discussed above, the Beretania Street Tunnel Alternative would have similar total benefits to transit users as the Project, including similar service to downtown and a trade-off between direct service to UH Mānoa with a bus transfer to Ala Moana Center and direct service to Ala Moana Center with a bus transfer to UH Mānoa. The number of daily transit users would be similar for either alternative.

Mr. Ted Matley
 Mr. Daniel A. Grabauskas
 July 8, 2013
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UH Manoa, with a student body of 20,426, plus professors, administrators, maintenance staff, and others, is a major contributor to Oahu's severe traffic problems. These problems would be significantly improved by the Beretania Street Tunnel Alternative. The Project's proposed Ala Moana route promises nothing close to that improvement. Moreover, the proposed Fort Street Station that is part of the Beretania Street Tunnel Alternative would be in easy walking distance of downtown workplaces. Passage by bus directly to Waikiki could be provided from the proposed Kalakaua Station. Although Kapolei and other areas in West Oahu have shopping centers with both comparable shops as well as many stores offering discounted merchandise, the court understands that passengers from those parts of the island may want to go to the Ala Moana Shopping Center. Those passengers would be able to transfer to buses at the proposed Pensacola Street Station (DSEIS page 20).

Mol-3
(cont.)

The DSEIS suggests that the Beretania Street Tunnel Alternative risks reaching the water table and thereby creating settlement problems (page 45). However, the DSEIS itself acknowledges that any such risk could be significantly mitigated. Indeed, in many other cities tunnels have been successfully and safely constructed at that level. In the alternative, the rail could be elevated above street level, which presumably would be less costly. (HART appears to have rejected a street-level alternative because of vehicular traffic and safety concerns.)

Mol-4

To those familiar with the historic structures in the downtown area, it appears that the DSEIS may well overstate the relative impact the Beretania Street Tunnel Alternative would have on historic buildings as compared to the impact the present proposed route would have. (page 68).

Mol-5

Nor does it appear that the effect the Beretania Street Tunnel Alternative would have on vehicular traffic would be significantly greater than the Project's proposed route along Ala Moana Boulevard and Halekauwila Street (page 61).

Mol-6

It also appears that the Beretania Street Tunnel Alternative would avoid obstructing the view corridors for the Capitol District from Punchbowl to the waterfront as established in Land Use Ordinance Sec. 21-9.30-1.3, which the Project's proposed Ala Moana route would violate (page 20).

Mol-7

While suggesting that a Beretania Street tunnel might affect some archeological and burial sites, the DSEIS acknowledges that fewer such sites would likely

Mol-8

Mol-4

The Draft Supplemental EIS/4(f) discusses tunneling risks in Section 3.4. While construction of a tunnel would create construction challenges, increase construction costs, and introduce a potential for damage to historic properties, but it would be feasible as a matter of technical engineering to construct the Beretania Street Tunnel Alternative.

The Final EIS/4(f) evaluates alternatives to the Project. The discussion of the Beretania Tunnel Alternative in this Supplemental EIS/4(f) responds to the District Court's orders (see the response to Mol-1). An additional analysis of an elevated guideway following the route of the Beretania Street Tunnel Alternative through the core of the Chinatown and Hawai'i Capital Historic Districts would be contrary to the Section 4(f) was not required.

Mol-5

Please see Common Response 9 in Section 5.2.4 of the Final Supplemental EIS/4(f) regarding historic properties that would be affected by the Beretania Street Tunnel Alternative.

Mol-6

Construction impacts are discussed under the Construction sub-heading in Section 3.5.3 of the Draft Supplemental EIS/4(f). Considerable traffic impacts would result during construction of the Beretania Street Tunnel Alternative. As detailed in the Draft Supplemental EIS/4(f), over the nearly three-year station construction period, each station would be excavated from above in stages to maintain traffic on portions of the overlying streets. In addition to the closure of substantial roadway capacity during construction, removal of tunnel spoils would result in an average of 63 one-way truck trips to or from the site per day. As discussed under the Construction sub-heading in Section 3.5.3 of the Draft Supplemental EIS/4(f), the construction duration would be two years longer than the Project, and the construction area would be larger.

Mol-7

Both alternatives would obstruct protected view corridors. The Beretania Street Tunnel Alternative would affect the Capital Special District as shown in Figure 23 of the Draft Supplemental EIS/4(f) and the Project would affect Chinatown as shown in Figure 4-33 of the Final EIS/4(f). The Project would not affect the Capital Special District.

Mol-8

As discussed under the Archaeology sub-heading in Section 3.5.3 of the Draft Supplemental EIS/4(f), archaeological studies have been completed for the Project as required by the Programmatic Agreement among FTA, the City, the U.S. Navy, the State Historic Preservation Officer, and the Advisory Council on Historic Preservation. The design of the Project has been modified to avoid all previously identified human remains. Overall, the Beretania Street Tunnel Alternative is located in an area with a lower potential to encounter archaeological resources and burials than the Project; however, the alignment, station locations, and portal locations for a tunnel are much less flexible and much more ground disturbing than column locations for an elevated guideway. As a result, the potential impact at the portals and stations is higher for the Beretania Street Tunnel Alternative than for the Project.

Mr. Ted Matley
Mr. Daniel A. Grabauskas
July 8, 2013
Page 4

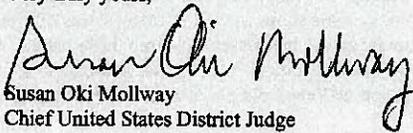
be affected because the Beretania Street Tunnel Alternative is further inland than the Project's proposed Ala Moana route (page 57).

Mol-8
(cont.)

In conclusion, the court urges you to recognize that the Beretania Street Tunnel Alternative, which is a more prudent and feasible route for the Project than the route presently proposed, has not been adequately considered in the DSEIS.

Mol-9

Very truly yours,


Susan Oki Mollway
Chief United States District Judge

cc: Matthew G. Adams
Michael Jay Green
David B. Glazer
John P. Manaut
Harry Yee
Peter C. Whitfield
Don S. Kitaoka
Edward V. A. Kussy
Robert D. Thornton
William Meheula
Robert P. Richards
Elizabeth S. Merritt

Mol-9

Please see Common Response 5 in Section 5.2.4 of the Final Supplemental EIS/4(f).

Record Date : 7/21/2013
First Name : roy
Last Name : aragon
Business/Organization : free hawaii of corruption
Address :
Apt./Suite No. :
City :
State :
Zip Code :
Email :
Telephone :
Add to Mailing List :
Submission :

This whole project is corrupted just look at what's going on conflict of interest how politicians were paid for political influence. I would also like a ethic commission audit on where and who was paid. Over \$ 988 million spent and no accountability made. The firm of PRP paid over 7 million to defraud the voters and paid for the election by smearing all and any persons against this corrupt project . This is an island not the mainland, we DON'T need this 20 miles of misery for \$10 billion debt. Have PRP and the mayor PRP pay for the rail. With all the fiscal Federal cuts this project is unsound and the funds will not cover the debt. STOP this RAIL it reminds us of the overthrow of the Hawaiian Kingdom by the greedy outsiders that support this tragic cancer call rail.

Ara-1

Ara-1

The FTA and HART appreciate the commenter's interest in the Honolulu Rail Transit Project. Please see Common Response 11 in Section 5.2.4 of the Final Supplemental Environmental Impact Statement/Section 4(f) Evaluation [EIS/4(f)] regarding comments outside of the scope of the Supplemental EIS/ 4(f). Table 9 in the Draft Supplemental EIS/4(f) addressed the cost of the Project.

Reply Requested :

Record Date : 7/22/2013
First Name : Dave
Last Name : Bautista
Business/Organization :
Address :
Apt./Suite No. :
City :
State :
Zip Code :
Email :
Telephone :
Add to Mailing List :
Submission :

Mr. Grabauskas and Mr. Matley:

This rail project is not what we were promised by former Mayor Mufi Hanneman. This was supposed to be a light, modern, and rapid transit rail providing an alternative from Kapolei to UH Manoa.

In recent developments the public is becoming aware of the failure to provide these important aspects.

This is the largest project in our state's history. With that said, our government was formed by the people for the people. The principle of 2/3 majority vote is important to secure the people's interests. When this rail project was approved by needing only a 51% vote, we (as the people) no longer became the beneficiary of such a project.

At 51% approval, this makes us a Corporation instead of a State in the United States of America.

While this is not your doing (for the vote requirement) it is your responsibility as an authority to follow the law and due process... which you have not. Evidenced by the lawsuit and the recent letter from a Judge also pointing out the security issue that the route brings.

There are many people around me that do not support this project. Please stop this before its too late and we become a state that is burdened by expenses we don't need. Our children and their future depends on responsible government. Be responsible and end this madness now. Alternatives for traffic relief is not limited to a rail system.

Sincerely,
Dave Bautista

Reply Requested :

Bau-1

Bau-1

The FTA and HART appreciate the commenter's interest in the Honolulu Rail Transit Project. Please see Common Response 11 in Section 5.2.4 of the Final Supplemental Environmental Impact Statement/Section 4(f) Evaluation [EIS/4(f)] regarding comments outside of the scope of the Supplemental EIS/ 4(f). Please see the response to Judge Mollway's comments regarding her views about the route and security. Please see Common Response 2 about the cost of extending the Project to UH Mānoa.

Record Date : 7/19/2013
First Name : Tom
Last Name : Berg
Business/Organization :
Address :
Apt./Suite No. :
City :
State :
Zip Code :
Email :
Telephone :
Add to Mailing List :

Submission :

July 19, 2013

From: Tom Berg, former Honolulu City Council Member; District One (2011-2013)

Mr. Daniel A. Grabauskas (also to) Mr. Ted Matley
Honolulu Authority for Rapid Transportation FTA Region IX
City and County of Honolulu 201 Mission Street, Suite 1650
1099 Alakea Street, Suite 1700 San Francisco, CA 94105
Honolulu, HI 96813

Subject: Comments on the Honolulu Rail Project Draft Supplemental Environmental Impact Statement (SEIS)

Mr. Grabauskas and Mr. Matley:

Before commenting on the (SEIS), the antecedence of how we got here needs to be highlighted.

FACT: The Oahu Metropolitan Planning Organization (OMPO) in 2003 approved of a Pearl Harbor Emphasis as a viable model to the relief sought for the H-1 Freeway Corridor that included a bridge and tunnel option. In 2005, Mayor Mufi Hanneman unilaterally removed and omitted the Pearl Harbor Concept /Emphasis from all scoping, city legislation, and public hearing process when the debate to pursue Act 247 (Hawaii Session Laws 2005) transpired.

CONCLUSION: Henceforth, the draft EIS that was advanced from the onset was skewed, flawed, and a product contrived in bad faith. Minimal property acquisition would be needed through the ocean as a tunnel or over Pearl Harbor via a bridge in comparison to the elevated fixed guideway route as is currently defined. The public was denied the ability to illustrate the superiority of the ocean tunnel and bridge options in comparison to the rail option and denied the right to examine the work of OMPO that approved the Pearl Harbor Emphasis.

FACT: Act 247 (HSL 2005) discriminated against any county having a population over 500,000 from approving a General Excise Tax increase for highway technology. Kauai, Hawaii, and Maui counties could impose a GET surcharge to advance highway technology, but the City and County of Honolulu could not use a GET surcharge for highway technology.

CONCLUSION: The City and County of Honolulu acted in bad faith by purporting in scoping meetings and schemata presented to the public in the pursuit of producing the draft EIS, that a Managed Lane Concept / Option – via highway technology was available to the public. The city offered at scoping meetings a Managed Lane option over rail if we wanted it. This was deceitful, for the managed lane option could not be implemented with the GET surcharge. The public was misled- like a loss leader to get us to the meetings since we were starving for traffic relief. Then the bait and switch took place- that highway technology was an option for purchase when it actually was never for sale. All we could buy was Steel Wheels on Steel Rails. The city displayed in the storefront window- Managed Lanes, and truly 21st century rail such as Monorail and Urban Maglev for sale...but the only product available on the shelves, was Steel Wheels on Steel Rails.

FACT: The City lied to the public that Urban Maglev and Monorail technologies are proprietary.

Ber-1

The FTA and HART appreciate the commenter's interest in the Honolulu Rail Transit Project. Please see Common Response 11 in Section 5.2.4 of the Final Supplemental Environmental Impact Statement/Section 4(f) Evaluation [EIS/4(f)] regarding comments outside of the scope of the Supplemental EIS/ 4(f). The choice of technology was discussed in Chapter 2 of the Final EIS/4(f).

Ber-1

CONCLUSION: In order to get a lock on Steel Wheels on Steel Rails, the city had to stack the deck. Out of the 18 or so names provided by Mayor Mufi Hannemann to the City Council so the council could choose from that list to formulate an alternative analysis panel consisting of five persons, not one name, not one choice provide on the list by Mayor Hanneman had expertise in Urban Maglev technology. Thus, when 4 out of 5 members on the alternative analysis panel dismissed Urban Maglev and Monorail technologies in favor of their allegiance and alliance to Steel Wheels on Steel Rails, the public got sold out. The majority of that panel made their living by pitching steel rail and they could not make money or profiteer, nor could their affiliates, if they picked the more advanced technology being Urban Maglev.

THE SEIS- in general terms, needs to be aborted altogether. While serving on the Honolulu City Council, I introduced RESOLUTION 11-258 – see link pasted below to access- (http://www4.honolulu.gov/docushare/dsweb/Get/Document-117004/6b1p_r3v.pdf). This reso was to start anew, to deploy an open, fair, and honest examination of true traffic relief options. The resolution was not afforded a hearing- since out of the nine members on the City Council at the time, eight of them favored pursuing the current rail plan- as the ninth member, was the only holdout advocating for a new EIS. And here is why- some text in resolution reads:

URGING THE MAYOR AND THE HONOLULU AUTHORITY FOR RAPID TRANSPORTATION TO PREPARE A NEW ENVIRONMENTAL IMPACT STATEMENT FOR THE CITY'S TRANSIT PROJECT.

WHEREAS, on March 15, 2007, with respect to the Honolulu High-Capacity Transit Corridor Project ("transit project"), the City and the Federal Transit Administration ("FTA") published a Notice of Intent ("NOI") to prepare a draft environmental impact statement ("DEIS") for high-capacity transit improvements in the Leeward corridor of Honolulu, Hawaii (Federal Register, Vol. 72, No. 50, Pages 12254- 12257); and

WHEREAS, the NOI states the following:
"The draft EIS would consider five distinct transit technologies: Light rail transit, rapid rail transit, rubber-tired guided vehicles, a magnetic levitation system, and a monorail system." (Federal Register, Vol. 72, No. 50, Page 12256); and

WHEREAS, on November 2, 2008, the city released the DEIS, which does not evaluate the five transit technologies noted in the NOI; and

WHEREAS, the failure to evaluate all five technology options in the DEIS as stated in the NOI conflicts with the intent of the federal notice and calls into question whether the DEIS is in compliance with the provisions of the National Environmental Protection Act; and

WHEREAS, on June 14, 2010, the city released the final environmental impact statement ("FEIS"), which likewise does not evaluate the five technology options and notes, "The system will use steel-wheel-on-steel-rail technology" (FEIS, p. S-1).

A video of 7th Graders at Ewa Makai Middle School wanting another vote- and supporting alternatives to steel wheels:
<http://www.youtube.com/watch?v=QMz-0a1YNI4>

A video of a Town Hall Meeting exposing the superiority of Urban Maglev and Monorail technology to Steel Wheel Rail:
<http://www.youtube.com/watch?v=VPuFe0AmauU>

Two videos capturing City Council hearings - MAP 21 that heralds BRT as more affordable than rail and the deceit of denying Urban Maglev from the EIS:
<http://www.youtube.com/watch?v=29BB4-OUAJ8>
*** <http://www.youtube.com/watch?v=fxKs9WTyxsE> - MAGLEV JUSTIFIED SPEECH

NOTE: In 2012 Congress and the President passed a law that gave power and authority for the FTA to reclassify the definition of elevated fixed guideways. Now, fixed guideways can include highway technology- such as Bus Rapid Transit. Yet, the City and County of Honolulu refuses to hold a public hearing on the new law so the public can weigh in on the superior technology of BRT of which can be attained at a lesser price. Please be cognizant, that in 2002, the City and County of Honolulu concluded in a study, that BRT beats rail on all fronts.

PLEA: An injunction is warranted to stop the current rail project.

Tom Berg
Former Honolulu City Council Member (2011-2013)
91-203 Hanapouli Circle #39U
Ewa Beach, Hawaii 96706
(808) 753-7324
Email

Reply Requested :

Ber-1
(cont.)

Ber-1
(cont.)

Record Date : 6/24/2013
First Name : John
Last Name : Bond
Business/Organization :
Address :
Apt./Suite No. :
City :
State : HI
Zip Code :
Email :
Telephone :
Add to Mailing List : None

Submission : Joanna Morsicato took a call on June 19th from John Bond. She was not aware that this was in anyway through the project Hot Line. He may have called there as well? He asked the following questions to which she provided answers as describe below:
1. Was the SEIS only on Mother Waldron Park and the Tunnel and nothing else? She said | Bon-1
Yes.
2. What would HART do to process the comments from the AIS review that SHPD website posted? She said he needed to ask SHPD for details on that. | Bon-2
She did acknowledge that there had been several activities underway and that I hoped it wasn't confusing. He seemed satisfied with my answers. It was a short but cordial conversation.

Reply Requested :
Attachments :

Bon-1 As noted in Section 1.1 of the Draft Supplemental Environmental Impact Statement/Section 4(f) Evaluation [EIS/4(f)], the Supplemental EIS/4(f) was prepared to address the Judgment and Partial Injunction Order of the United States District Court for the District of Hawai'i in Honolulu-Traffic.com et al. vs. Federal Transit Administration et al. The scope of the analysis was limited to whether the Beretania Street Tunnel Alternative was feasible and prudent and whether the Project would "constructively use" Mother Waldron Neighborhood Park under Section 4(f).

Bon-2 The surveys for previously unidentified below-ground archaeological sites have been completed for the entirety of the project alignment. The results of the surveys are reported in several volumes of an Archaeological Inventory Study (AIS). The AIS review is a separate process, which addressed State of Hawai'i requirements for project review and the requirements in the PA among FTA, the City, the U.S. Navy, the SHPO, and the Advisory Council on Historic Preservation. Information on the Archaeological Inventory Surveys is available on HART's website at www.honolulutransit.org.

Major Scientific Evidence Shows Honolulu's Rail Route A Planning Fiasco

Aloha,

A Category 3-4 hurricane storm will drive 20-30 ft. of sea water inland. This could happen within a 12-24 hour time period and could do everything Sea Level Rise (SLR) will accomplish in the coming decades. This scenario is actually PREDICTED by FEMA as likely for Honolulu at anytime into the future decades.

Each year of SLR will only push the future hurricane storm surge further inland. On top of SLR, there is groundwater inundation creeping up year after year which brings water much further inland.

Storm surge will create massive damage hundreds of yards inland to sewer, water and electrical systems, shutting down the Sand Island Waste Water treatment plant and depositing massive amounts of raw sewage around downtown areas. Honolulu Airport's reef runway would likely be destroyed. Tourism will come to a complete stop.

Just think about THAT- no airport and raw sewage everywhere with a totally useless and shut down railway system. No Civil Defense planning AT ALL has been done for this incredibly LIKELY future scenario!

Not only will rail be shut down and totally useless after hurricane storm surge, it will likely take many months to get the infrastructure around the stations back up to operational status. (Maybe this is why we will need bike lanes?)

This ALL could have been avoided by a rail route further inland, such as along H-1, away from ALL of these problems! And WHY wasn't this done? Because rail is a REAL ESTATE project, not a commuter transportation system! This is an DOT-FTA financed real estate project.

This is why the TRUTH will come out in the future and the FIASCO of very bad rail route planning will be exposed for all to see. Billions MORE will have to be spent (which is apparently the intent of this bad plan?)

Meanwhile, groundwater inundation and land subsidence is currently underway and it is totally ignored by the City, HART and so called HCDA urban planners in low-lying coastal areas such as Kakaako and the south shoreline where 5-6 other rail stations will be located.

Kakaako and the south shore of Oahu will be experience increasing persistent flooding due to the rise of the ground water table that sits atop sea level (lighter fresh water lens). All our urban and rail "planners" totally ignore this scientific fact and eventuality. How could so much money be spent on such INCREDIBLY BAD PLANNING?

Bon1-1

Bon1-1

The FTA and HART appreciate the commenter's interest in the Honolulu Rail Transit Project. Please see Common Response 11 in Section 5.2.4 of the Final Supplemental Environmental Impact Statement/Section 4(f) Evaluation [EIS/4(f)] regarding comments outside of the scope of the Supplemental EIS/ 4(f). Please see Environmental Protection Agency comments and response in Appendix A to the Final EIS/4(f) regarding sea level rise.

Bon1-2

Bon1-2

Groundwater was addressed in Section 4.14 of the Final EIS/4(f). Please see Common Response 11.

<http://www.nature.com/nclimate/journal/v3/n5/full/nclimate1725.html>

"0.6 m of potential sea-level rise causes substantial flooding, and 1m sea-level rise inundates 10% of a 1-km wide heavily urbanized coastal zone. The flooded area including groundwater inundation is more than twice the area of marine inundation alone."

"This has consequences for decision-makers, resource managers and urban planners, and may be applicable to many low-lying coastal areas."

John Bond
Ewa, Hawaii

Aloha,

WHY are we building a railway in areas where our best scientific evidence shows that all of the roads and access points near the stations (at least 5-6 downtown station alone) will likely be either under water or at the point of swampland where ground water is coming to the surface or rain water won't drain away.

Really- this is a Billion Dollar Bungle and unbelievably BAD PLANNING based upon the evidence. I cannot at all see how HART and the City can justify this!

Climate Change Transportation Vulnerability: Workshop Outcomes for Hawaii: March 8-9, 2011

http://files.hawaii.gov/dbedt/op/czm/ormp/working_group/meeting_presentations/wg_presentation_20110707_Climate_Change_Transportation_Vulnerability_OMPO.pdf

Rainfall (-15%) and stream discharge have decreased, Air temperature is increasing, Rainstorm intensity has increased (+12%), Sea surface temperature is rising, Ocean has grown more acidic, Sea level is rising, Water table will also rise, potentially affecting roadway foundations and aquifer integrity.

Vulnerable infrastructure? Hawaii Kai, Waikiki, Kalihi, Airport Industrial area roads, North Nimitz, Dillingham, Ala Moana, Kapiolani, Kamehameha (windward and North Shore), Kalaniana'ole. Includes probable flooding of Ala Moana Blvd, Nimitz Hwy, and Sand Island Access Rd.

Hickam/HNL Airport Complex: Vulnerable to flooding, storm intensity, and sea-level rise; currently being affected. Flooding of runways and tarmac as well as roadways immediately adjacent to the airport could also affect much of Oahu's existing critical infrastructure. Also vulnerable, including refineries, power generation, and wastewater treatment plants (like Sand Island which is extremely vulnerable.)

Sea-level rise may undermine roadway stability, Sea is rising now, likely to accelerate with Global SLR 2.5 to 6.2 ft. by 2100. Hawaii near or slightly below (5%) global SLR, 2100 (This is due to an incredibly fortunate wind current that pushes sea water away from Hawaii- this could easily change in the future.)

John Bond
Ewa, Hawaii

Bon2-1

Bon2-1

The FTA and HART appreciate the commenter's interest in the Honolulu Rail Transit Project. Please see Common Response 11 in Section 5.2.4 of the Final Supplemental Environmental Impact Statement/Section 4(f) Evaluation [EIS/4(f)] regarding comments outside of the scope of the Supplemental EIS/ 4(f). Please see Environmental Protection Agency comments and response in Appendix A to the Final EIS/4(f) regarding sea level rise.

Alpha.
Halekauwila-Place EA Shows Future Kakaako Construction Problems

The mitigation to fix the huge number of problems for this badly chosen rail route will cost Hawaii taxpayers many billions of dollars and likely delay use of the rail system for many more years to come. During civil defense emergencies the rail system will be completely shut down and unusable

The featured site is adjacent to Mother Waldron Park...And the HART rail line runs right through this same area. Ground access to six HART stations will be affected by Ground Water Rise, Sea Level Rise and Hurricane Storm Surge in the coming years.

Many test trenches show ground water just 1- 2 meters below the surface. Soil is mostly coral, sand, silt and junk land fill and in pre-western times was tidal ponds and lagoons fed by freshwater Karst springs.

Many burials from many eras area in this same area. The EA has lots of maps and photos.

John Bond

Bon3-1

Bon3-2

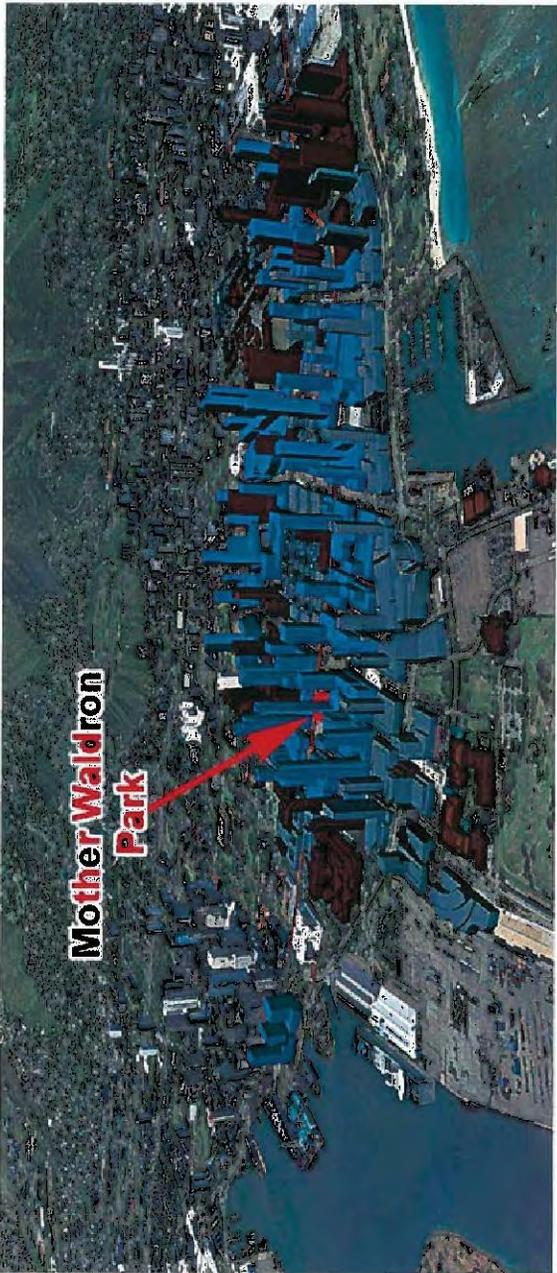
Bon3-3

Bon3-1 The FTA and HART appreciate the commenter's interest in the Honolulu Rail Transit Project. Please see Common Response 11 in Section 5.2.4 of the Final Supplemental Environmental Impact Statement/Section 4(f) Evaluation [EIS/4(f)] regarding comments outside of the scope of the Supplemental EIS/ 4(f). Please see Environmental Protection Agency comments and response in Appendix A to the Final EIS/4(f) regarding sea level rise.

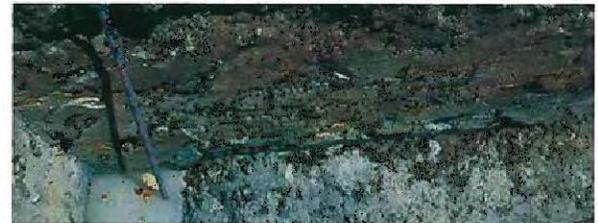
Bon3-2 Please see Common Response 10 in Section 5.2.4 of the Final Supplemental EIS/4(f) regarding karst formations.

Bon 3-3 The surveys for previously unidentified below-ground archaeological sites have been completed for the entirety of the project alignment. The results of the surveys are reported in several volumes of an Archaeological Inventory Study (AIS). The AIS review is a separate process, which addressed State of Hawai'i requirements for project review and the requirements in the PA among FTA, the City, the U.S. Navy, the SHPO, and the Advisory Council on Historic Preservation. Information on the Archaeological Inventory Surveys is available on HART's website at www.honolulutrainsit.org.

7/1/2013



More samples of test trenches dug at project site reveal ground water :

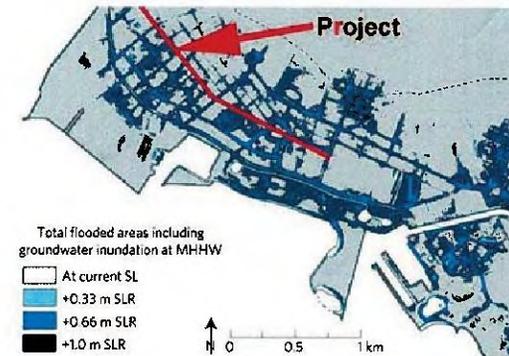




More samples of test trenches dug at project site reveal ground water :



Ground water flooding coming to Kakaako – overall 6 HART rail stations and adjacent roads, properties all affected. *Ground water rise will precede sea water rise by decades...*



A single project with an Environmental Assessment done in 2009 shows what the Kakaako problems are now and will be in the future...



Above 1838 sketch, and below 1887 photo of Kakaako area



Archaeological Assessment, Halekauwila Place Project, Kaka'ako, Honolulu, O'ahu August 2009

http://gen.doh.hawaii.gov/Shared%20Documents/EA_and_EIS_Online_Library/Oahu/2000s/2009-12-08-OA-DEA-Halekauwila-Place-App.pdf

The project area is located in the *mauka* (inland) area of Kaka'ako, consisting of the northeastern portion of the block bounded by Halekauwila Street, Keawe Street, Pohukaina Street, and the Mother Waldron Park.

The proposed Halekauwila Place Project consists of development of a mixed-income urban housing community, including: a 19-story residential tower with ground-level retail and meeting spaces; condominium townhomes; and a multi-level parking garage with ground-level retail spaces.

Trenches were dug as part of a standard assessment to test for ground water...



Project Location: 1855 map above and area today below



NEXT: Twelve test trenches reveal ground water between 1-2 meters below the ground surface. This is all filled swamp land that the sea will be taking back...



Samples of test trenches dug at project site reveal ground water:



Record Date : 7/12/2013
First Name : Victoria & Trudy
Last Name : Cannon
Business/Organization :
Address :
Apt./Suite No. :
City :
State :
Zip Code :
Email :
Telephone :
Add to Mailing List :
Submission : We completely agree with Judge Mollway's comments. | Can-1
Reply Requested :
Attachments :

Can-1

The FTA and HART appreciate the commenter's interest in the Honolulu Rail Transit Project. Please see the response to Judge Mollway's comments.

Record Date : 7/12/2013
First Name : Sean
Last Name : Chu
Business/Organization :
Address :
Apt./Suite No. :
City :
State :
Zip Code :
Email :
Telephone :
Add to Mailing List :
Submission :

I am a Waipio Gentry resident and an open supporter of the rail. However, the really needs to go to UH, as mentioned by Judge Susan Oki Mollway's statement. Anyone who lives on the west side knows that the traffic is really terrible when UH is in session. UH West Oahu will never assume the role or the number of students as UH Manoa. Its opening should not be a reason to stop the rail at Ala Moana.

Chu-1

Chu-1

The FTA and HART appreciate the commenter's interest in the Honolulu Rail Transit Project. Please see Common Response 11 in Section 5.2.4 of the Final Supplemental Environmental Impact Statement/Section 4(f) Evaluation [EIS/4(f)] regarding comments outside of the scope of the Supplemental EIS/ 4(f). For discussion of the extension of the Project to UH Mānoa, please Common Response 2.

Reply Requested :

Record Date : 7/12/2013
First Name : Wayne
Last Name : Chun
Business/Organization : The Chun Ohana
Address :
Apt./Suite No. :
City :
State :
Zip Code :
Email :
Telephone :
Add to Mailing List :

Submission : It will be a significant travesty to the Oahu taxpayers should the University of Hawaii community not be served by HART. If HART does not correct the current route to serve the University of Hawaii community, Hawaii voters will continue to be absent at the voter polling locations.

Chun-1

Chun-1

The FTA and HART appreciate the commenter's interest in the Honolulu Rail Transit Project. Please see Common Response 11 in Section 5.2.4 of the Final Supplemental Environmental Impact Statement/Section 4(f) Evaluation [EIS/4(f)] regarding comments outside of the scope of the Supplemental EIS/ 4(f). For discussion of the extension of the Project to UH Mānoa, please see Common Response 2.

Reply Requested :

Attachments :

Record Date : 6/14/2013
First Name : Ellen
Last Name : Corrie
Business/Organization :
Address :
Apt./Suite No. :
City :
State :
Zip Code :
Email :
Telephone :
Add to Mailing List :
Submission :

Mayor, please don't tear down Mother Waldron Park, many kids play in that park, and I beg of you not to take it away from them just to make a rail. Cor-1

Cor-1

As noted in Section 4.2 of the Draft Supplemental Environmental Impact Statement/Section 4(f) Evaluation [EIS/4(f)], the Project would be located entirely outside of the boundary of Mother Waldron Neighborhood Park. Please see Common Response 7 for more information on the Project's lack of use of Mother Waldron Park

Reply Requested :
Attachments :

Record Date : 7/9/2013
First Name : khistina
Last Name : dejean
Business/Organization : kmptokmp
Address :
Apt./Suite No. :
City :
State :
Zip Code :
Email :
Telephone :
Add to Mailing List :
Submission :

I khistina caldwell dejean pray that this rail come to a end a s a p .
as i said running for governor 2010
and mayor 2010 in special election I came in 5th place
i khistina caldwell dejean came in 4th place for mayor of Honolulu Hi,i
stand firm for people first no rail.

Dej -1

Dej-1

The FTA and HART appreciate the commenter's interest in the Honolulu Rail Transit Project. Please see Common Response 11 in Section 5.2.4 of the Final Supplemental Environmental Impact Statement/Section 4(f) Evaluation [EIS/4(f)] regarding comments outside of the scope of the Supplemental EIS/ 4(f)

Reply Requested :

Record Date : 7/9/2013
First Name : khistina
Last Name : dejean
Business/Organization : kmp to kmp
Address :
Apt./Suite No. :
City :
State :
Zip Code :
Email :
Telephone :
Add to Mailing List :
Submission :

i khistina caldwell dejean will be running for governor 2014 Honolulu Hawaii. | Dej1-1
i said running for mayor 2012 honolulu nawaii no rails 8085453855 .
As your new governor 2014 i say no people first

Reply Requested :

Dej1-1

The FTA and HART appreciate the commenter's interest in the Honolulu Rail Transit Project. Please see Common Response 11 in Section 5.2.4 of the Final Supplemental Environmental Impact Statement/Section 4(f) Evaluation [EIS/4(f)] regarding comments outside of the scope of the Supplemental EIS/ 4(f).



Dentons US LLP
 525 Market Street
 25th Floor
 San Francisco, CA 94105-2708 USA
 T +1 415 882 5000
 F +1 415 882 0300

Salans FMC SNR Denton
 dentons.com

HART

July 22, 2013

'13 JUL 23 9:2:29

Mr. Ted Matley
 FTA Region IX
 201 Mission St., Suite 1650
 San Francisco, CA 94105

Mr. Daniel Grabauskas
 Honolulu Authority for Rapid Transportation
 City and County of Honolulu
 1099 Alakea St., Suite 1700
 Honolulu, HI 96813

Re: Comments on Draft Supplemental Environmental Impact Statement/Section 4(f) Evaluation

Dear Sirs:

We submit the following comments on the Honolulu Rail Transit Project Draft Supplemental Environmental Impact Statement/Section 4(f) Evaluation (the "DSEIS") on behalf of the plaintiffs in *Honolulutraffic.com, et al v. Federal Transportation Administration*, United States District Court for the District of Hawaii Case No. 11-cv-00707-AWT.¹ Please be aware that some or all of the plaintiffs may also submit additional comments under separate cover.

As explained in greater detail below, the DSEIS is so inadequate as to preclude meaningful analysis, and therefore must be revised and recirculated for a second round of public and agency review. See 771.130(d) (SEISs subject to same procedural requirements as EISs); 40 C.F.R. § 1502.9 (recirculation of Draft EISs).

Specifically, the DSEIS (1) fails to address Traditional Cultural Properties ("TCPs"); (2) inaccurately assumes, without justification or supporting documentation, that the Beretania Street Tunnel Alternative will use historic sites, will not be prudent, and will not be the "least harm" option; (3) fails to provide the public with the documentation or analysis on which the document's Section 4(f) analysis of Mother Waldron Park is based; and (4) fails to consider significant new information and circumstance regarding other alternatives to the Project's use of the Chinatown Historic District and the Dillingham Transportation Building.

1. Failure To Address TCPs

In the above-cited litigation, Judge A. Wallace Tashima explicitly held that (1) a Section 4(f) evaluation must address TCPs, (2) the Federal Transit Administration ("FTA") illegally failed to address TCPs in its

¹ It appears that neither the City nor the FTA arranged for notice of the DSEIS to be published in the Federal Register. Therefore, we submit these comments pursuant to the City's assurance (posted at www.honolulutransit.org) that any comments postmarked by July 22, 2013 will be accepted. In submitting these comments on the details of the DSEIS (which assumes a heavy rail project), we in no way concede the more basic claims, raised in plaintiffs' Ninth Circuit appeal (United States Court of Appeals for the Ninth Circuit Case No. 13-15277), regarding the propriety of the City's and FTA's selection of elevated heavy rail in the first instance.

Den-1

Den-1

Please see Common Response 4 in Section 5.2.4 of the Final Supplemental EIS/4(f).

Den-2

Den-2

The Notice of Availability appeared in the Federal Register on June 7, 2013 (Vol. 78, No. 110, p. 34,377).

prior Section 4(f) evaluation for the Project, and (3) the FTA must remedy that failure by identifying and evaluating TCPs under Section 4(f).

Despite that very clear direction, the DSEIS fails to address TCPs. Instead, it states that "a separate evaluation is underway" related to TCPs. By (yet again) failing to include TCPs in its Section 4(f) evaluation, the FTA has violated Judge Tashima's clear directions as well as Section 4(f).

The FTA's ongoing refusal to address TCPs in a public EIS/Section 4(f) evaluation is particularly troubling in light of the fact that several studies prepared by the City have identified TCPs near the Project. The DSEIS's failure to examine whether the Project will use (or otherwise impact) the identified TCPs precludes meaningful public review of this important issue and requires revision and recirculation of the DSEIS.

2. The Beretania Tunnel Alternative

The DSEIS's analysis of the Beretania Tunnel Alternative is fundamentally flawed in several respects.

A. Use Of Historic Properties

The DSEIS inaccurately assumes, without proper supporting documentation or analysis, that the Beretania Tunnel Alternative will result in the use of multiple Section 4(f) properties.

1. Oahu Railway & Land Property

The DSEIS improperly assumes that the Beretania Street Tunnel Alternative will result in an unavoidable Section 4(f) use of the historic resources on the Oahu Railway and Land Company ("OR&L") property.

The City's 2005-2006 Alternatives Analysis process (the "AA") defined the Beretania Street Tunnel Alternative as a tunnel beginning near the intersection of Dillingham Boulevard and Ka'aahi Street, passing beneath the OR&L property and downtown Honolulu (thereby avoiding impacts to the OR&L property, the Chinatown Historic District, the Dillingham Transportation Building, and other historic structures and districts in the downtown area), transitioning to an aerial structure on the far side of downtown, and terminating at the University of Hawaii, Manoa.²

The AA made it clear that there were to be seven stations along this route: Beretania Street at the Fort Street Mall, Beretania Street at Alapai Street, South King Street at Pensacola Street, South King Street at Kalakaua Avenue, South King Street at McCully Street, South King Street at Hausten Street, and the University of Hawaii.³

The DSEIS claims to be an analysis of the Beretania Street Tunnel Alternative "as defined" in the AA.⁴ But there are important — and unexplained — differences between the Beretania Street Tunnel Alternative "as defined" in the AA and the Beretania Street Tunnel Alternative presented in the DSEIS. Among other things, the DSEIS adds an eighth station at Ka'aahi Street, proposes to locate the new Ka'aahi Street station directly beneath the historic OR&L property, and, on that basis, concludes that the

² Alternatives Analysis Detailed Definition of Alternatives (Nov. 1, 2006) at 6-21.

³ *Id.*

⁴ DSEIS at 19.

Den-1
(cont.)

Den-3

Section 3.1 of the Draft Supplemental EIS/4(f) defined the Beretania Street Tunnel Alternative. The Alternatives Analysis did not name individual stations. The Ka'aahi Street Station was identified and shown in Figure 2-7 of the Honolulu High-Capacity Transit Corridor Project Alternatives Analysis Report, dated November 1, 2006, on the yellow-dashed line connecting Dillingham Boulevard to the Beretania Street tunnel/South King Street alignment. The station is located on the OR&L property.

The station locations are clarified on Page 6-17 of the Alternatives Analysis Detailed Definition of Alternatives dated November 1, 2006, which states "The Mauka and Makai of the Airport Viaduct alignments and the Aolele Street alignment would be connected to Dillingham Boulevard by crossing over portions of Ke'ehi Interchange. Stations on this alignment would be located generally near the following intersections: Middle Street at the Middle Street Transit Center, Dillingham Boulevard and Mokauea Street, Dillingham Boulevard and Kokea Street, and on Ka'aahi Street."

Table 2-2 of the Alternatives Analysis Report analyzes two sections designated as *Middle Street to Iwilei* and *Iwilei to UH Manoa*. The station at Ka'aahi Street is analyzed as the end of the Middle Street to Iwilei section, rather than as the start of the Iwilei to UH Manoa section, but the total does include the station. The station could not be moved 'Ewa because stations must be placed on a flat and straight track section to meet Americans with Disabilities Act requirements for safe loading and unloading of the train and the tracks are descending from elevated to below-ground immediately 'Ewa of the station. Moving the station Koko Head would place it in A'ala Park, and would not avoid Section 4(f) resources.

Section 3.3.1 of the Draft Supplemental EIS/4(f) discussed constraints on avoidance alternatives to the location of the Ka'aahi Street Station, including moving the station 'Ewa to the location of the Project's Iwilei Station.

Den-3

Beretania Street Alternative unavoidably requires use of the OR&L property within the meaning of Section 4(f).⁵

The DSEIS does not provide any explanation or justification for (or even alert the public to) these changes from the AA. Indeed, there does not appear to be any legitimate reason why the historic OR&L property must be used in this way. Neither the AA nor the DSEIS identifies any need for a station in this location. And if the City and the FTA feel that a station is necessary in this neighborhood, they could easily use a location closer to (or even overlapping with) the area they have reserved for the Project's nearby Iwilei station (either at ground level or above-ground), slightly repositioning the Kapalama station if needed.

2. McKinley High School

The DSEIS improperly assumes that the Beretania Street Tunnel Alternative will result in an unavoidable Section 4(f) use of McKinley High School, a portion of which is listed in the National Register of Historic Places.

The DSEIS does not provide any documentation of McKinley High School's listing in the National Register.

The DSEIS does not disclose that the Beretania Street Tunnel Alternative would be located outside the boundary of the historic portion of McKinley High School (as that boundary appears in the National Register listing on file with the National Park Service, a copy of which can be found in attachment 1 and at <http://pdfhost.focus.nps.gov/docs/NRHP/Text/80001281.pdf>).

The DSEIS fails to address the fact that the Beretania Street Tunnel Alternative's Pensacola Street rail station would be screened from the historic portion of the school by a large, multi-story non-historic building (misleadingly labeled "McKinley High School" in DSEIS Figure 19).

3. 1915B S. King Street ("King Florist")

The DSEIS improperly assumes that the Beretania Street Tunnel Alternative will result in an unavoidable use of a building at 1915B S. King Street identified by the City and the FTA as "King Florist."

As an initial matter, we note that the actual address of King Florist appears to be 1296 S. Beretania St., not 1915B King Street.⁶

The DSEIS does not provide any documents or information indicating that 1915B S. King Street meets the statutory or regulatory eligibility criteria for listing in the National Register of Historic Places. In fact, it does not even provide a photograph of the building. Photographs of the building, which appears to have been significantly modified to accommodate a drive-through and a surface parking lot, can be found in attachments 3 and 4.

The DSEIS assumes that the McCully rail station will require demolition of 1915 S. King St.⁷ But that station is to be located at the corner of S. King St. and McCully St., while 1915 S. King St. is located mid-

⁵ DSEIS at 19, 21, 38-40.

⁶ See attachment 2.

⁷ DSEIS at 43-45.

Den-4

Section 3.3.2 of the Draft SEIS/4(f) details the use of the McKinley High School property and identifies the property as being listed in the NRHP. It states that the Beretania Street Tunnel Alternative "would affect non-contributing elements of the McKinley High School Property." A use determination was made under Section 4(f) because land from a parcel encompassing a historic property would be incorporated into the Honolulu Rail Transit Project.

Den-3
(cont.)

The Section 4(f) Policy Paper (USDOT 2012) provides guidance on the definition of boundaries for Section 4(f) properties. It states "[s]election of boundaries is a judgment based on the nature of the property's significance, integrity, setting and landscape features, functions and research value. Most boundary determinations will take into account the modern legal boundaries, historic boundaries (identified in tax maps, deeds, or plats), natural features, cultural features and the distribution of resources as determined by survey and testing for subsurface resources." The boundary determination of the whole parcel for Section 4(f) evaluation of McKinley High School is consistent with the Section 4(f) finding for the Project for the OR&L Parcel, Chinatown, the Dillingham Transportation Building, and the HECO Downtown Plant and Leslie A. Hicks Building.

Den-4

The label in Figure 19 of the Draft Supplemental EIS/4(f) correctly identifies the McKinley High School property, which is a campus with both contributing and non-contributing buildings to the historic property. The Beretania Street Tunnel Alternative would not be fully screened from the historic buildings on the McKinley High School property. As the aerial photograph in Figure 19 indicates, the Beretania Street Tunnel Alternative would only be screened from viewpoints directly behind the referenced building. It would be visible from a number of vantage points within the McKinley High School Property.

Den-5

King Florist is the historical name (as a previous tenant) for the building at 1915B South King Street. The actual business appears to have moved at some time in the past.

Den-5

The property identified in the Alternatives Analysis as potentially eligible for listing in the NRHP under Criterion C. The evaluation of its eligibility for listing in the NRHP followed the same process and assumptions used to determine eligibility of properties during the Section 106 process for the Project. As discussed in Section 3.3.3 of the Draft Supplemental EIS/4(f), the King Florist building was constructed in 1945. The property has similar age, integrity, and significance as properties found eligible during consultation and that are located within the Area of Potential Effects for the Project. See Common Response 9 for additional information regarding the review of historic properties.

As described in Section 3.3.3 of the Draft Supplemental EIS/4(f), the McCully Street Station would require property along the makai side of South King Street to accommodate the makai edge of the station platform, station entrance building, and traction power substation

block between McCully St. and Pumehana St.⁸ Moreover, the area between 1915 S. King St. and the proposed location of the McCully station consists primarily of surface-level parking lots; there does not appear to be any reason why these lots cannot be used for rail station infrastructure (without resorting to demolition).⁹

The DSEIS also suggests that 1915B S. King St. must be demolished in order to accommodate a "traction power substation" (a small steel enclosure for electrical equipment referred to as a "TPSS").¹⁰ But the City admits that the TPSS can simply be moved to another property.¹¹ And, as noted above, nearby surface parking lots appear to provide ample room for all necessary infrastructure.¹²

Finally, the DSEIS makes a vague, unsubstantiated suggestion that "the space requirements around the station entrance and station platforms would still require right of way acquisition at King Florist."¹³ This unsupported, conclusory assertion rings hollow. There are multiple lots available for use as station entrances/exits.¹⁴ There is no reason to believe that the guideway must butt up against the buildings on the south side of King Street (in other portions of the Project, the guideway is positioned over the middle of the street). The idea of "acquiring right-of-way" is very different from the notion that all of 1915B S. King St. must be demolished.

B. Prudence and Feasibility

The DSEIS concludes that the Beretania Street Tunnel Alternative is imprudent. That conclusion is flawed in numerous respects.

As an initial matter, we note that the DSEIS does not articulate a clear basis for a finding of imprudence. It appears to treat the cost of the Beretania Street Tunnel Alternative as the most important factor in evaluating the Alternative's prudence.¹⁵ But the document does *not* conclude that the cost of the Beretania Street Tunnel is enough, standing alone, to justify a finding of imprudence.¹⁶ Instead, the DSEIS cites a mixture of (alleged) construction risks, visual impacts, traffic disruption, "delayed benefits," and cost increases as combining to result in imprudence.¹⁷

"Construction risk" does not provide a reasonable basis to find the Beretania Street Tunnel Alternative imprudent. Engineering questions of this sort are properly considered in terms of "feasibility" rather than "prudence."¹⁸ And the DSEIS (properly) concedes that building the Beretania Street Tunnel Alternative is "feasible as a matter of technical engineering."¹⁹

⁸ See attachment 4.

⁹ See attachment 4.

¹⁰ DSEIS at 43-44.

¹¹ DSEIS at 43.

¹² Attachment 4.

¹³ DSEIS at 43.

¹⁴ DSEIS at 44.

¹⁵ DSEIS at 61-64.

¹⁶ DSEIS at 64.

¹⁷ DSEIS at 64.

¹⁸ See 23 C.F.R. § 774.17.

¹⁹ DSEIS at 46.

Den- 5
(cont.)

(TPSS). The station platform would extend into the area now occupied by the front of the building (Figure 20). While the TPSS could be located on surface parking on a different parcel and the station entrance could be configured differently, it would not avoid the use of the property because of the need to demolish the front of the building to allow for construction of the station platform. Avoidance alternatives to the use of the property were evaluated as documented in Section 3.3.3 of the Draft Supplemental EIS/4(f).

The comment notes that, in other portions of the Project, the guideway is positioned over the middle of the street. That is not possible because South King Street is a one-way street. The elevated guideway along South King Street, as discussed in Section 3.1 of the Draft Supplemental EIS/4(f), would run along the makai side of King Street for safety and traffic operations reasons. Street medians are followed in areas where they exist or can be created safely. Locating the guideway columns between lanes of a one-way street would block sight distances and create an intermittent hazard to changing lanes; therefore, a raised median would have to be created to prevent unsafe weaving between the columns. King Street has numerous cross street intersections and driveway connections on both sides of the street. Vehicles traveling on one side of the median would not have access to driveways on the opposite side of the median.

Den-5
(cont.)

Den-6

Please see Common Response 5 in Section 5.2.4 of the Final Supplemental EIS/4(f).

Den-6

Den-7

Section 3.4 of the Draft Supplemental EIS/4(f) discussed the risk that voids created during tunnel construction, and the fact that tunnel construction increases the risk of settlement and damage to adjacent buildings and historic buildings. The impact to historic buildings is an environmental impact that is evaluated in the "prudence" analysis. The "feasibility" prong of the Section 4(f) evaluation examines whether it is possible as a technical engineering matter to construct the alternative. The tunnel construction creates an unavoidable risk of subsidence and resulting damage to buildings in the area of subsidence. This is a well-recognized risk associated with construction of tunnels in areas with the geological characteristics of this portion of Honolulu. The risk can largely be mitigated through design and, as noted in Section 3.5.2 of the Draft Supplemental EIS/4(f). Therefore, it is feasible as a technical engineering matter to construct a tunnel. The reasons for the finding that the Beretania Street Tunnel Alternative is not a feasible and prudent avoidance alternative are described in in Section 3.4 and 3.5 of the Final Supplemental EIS/4(f). Also refer to Common Response 5 in Section 5.2.4 of the Final Supplemental EIS/4(f).

Den-7

The DSEIS cites significant visual impacts as another reason to find the Beretania Street Tunnel Alternative imprudent.²⁰ That assertion is contrary to all common sense. The Project is elevated for its entire length. The Beretania Street Tunnel Alternative would be underground in the most visually sensitive part of the rail line (downtown Honolulu).

The DSEIS also references potential visual impacts on "protected view corridors" and buildings along S. King St. But the Project would cross more "protected view corridors" (and with greater effect) than would the Beretania Street Tunnel Alternative.²¹ And, contrary to the DSEIS's assertions, the AA process did not result in any findings of adverse effect for properties on S. King St. Moreover, even if S. King St. were truly unworkable, the City and the FTA could use Beretania Street instead.²²

The DSEIS also suggests that the Beretania Street Tunnel Alternative is imprudent because it will result in traffic disruption. Again, the assertion is contrary to all common sense. The Project would require the City to build an elevated guideway, on surface streets, through the densest and highest-traffic area of downtown Honolulu. Construction of the Beretania Street Tunnel Alternative would occur underground, and therefore would not disrupt downtown surface-level traffic to the same extent. It is telling that the DSEIS includes no detailed traffic study or analysis.

The DSEIS briefly mentions "unique problems or unusual factors." But it fails to address unique, unusual, and important factors raised by the United States District Court for the District of Hawaii.²³ The City and the FTA have steadfastly insisted that the Court's comments on the Project are a non-issue (and have even gone so far as to represent to Judge Tashima that all of the Court's concerns have been fully resolved). A July 8, 2013 letter from the United States District Court for the District of Hawaii says otherwise.²⁴ The letter, signed by Chief Judge Susan Oki Mollway on behalf of the entire Court, makes it clear that (1) the Project would cause severe safety problems at the Courthouse, (2) the Court has consistently made both the City and the FTA aware of these problems (even as the City and the FTA assured Judge Tashima that the Court's concerns had been addressed), and (3) therefore (and for a number of reasons) the Project is less prudent than the Beretania Street Tunnel Alternative.

The DSEIS also mentions "delayed benefits" as justifying a finding of imprudence.²⁵ Presumably, the City and the FTA mean to suggest that the Beretania Street Tunnel Alternative cannot be completed as quickly as the Project. But these "delays" are attributable to (1) their own failure properly to evaluate the Beretania Street Tunnel Alternative in the original EIS and (2) their decision to proceed with construction of the Project before completing this SEIS. Had the City and the FTA simply complied with the law in the first place, the Beretania Street Tunnel Alternative could have been implemented on the same time schedule as the Project. Moreover, alleged damages associated with delay are already built into the DSEIS's cost estimates; references to "delayed benefits" represent an impermissible attempt to double-count.

²⁰ DSEIS at 50-57, 64.

²¹ See, e.g., Final Environmental Impact Statement/Section 4(f) Evaluation at 4-80 to 4-110.

²² As noted above, much of the DSEIS's analysis of visual impacts seems to assume that the guideway cannot be centered above S. King St. The document does not provide any justification for that assumption.

²³ DSEIS at 63.

²⁴ See attachment 5.

²⁵ DSEIS at 63.

Den-8

Visual impacts were discussed in the Visual Impacts sub-section of Section 3.5.3 of the Draft Supplemental EIS/4(f). The Project would affect a designated significant viewshed. The views are identified as significant in the City ordinance. The elevated guideway would cross view corridors protected as either prominent or significant in Chapter 21 of the Revised Ordinances of Honolulu, including views from Alapai Street between King and Beretania Streets in the Hawai'i Capital Special District and views to and from Thomas Square in the Thomas Square/Honolulu Academy of Arts Special District. .

Den-8

As discussed in the Draft Supplemental EIS/4(f), the visual impacts of the Beretania Tunnel avoids some, but not all, visual impacts of the Project and would introduce other visual impacts. It would have effects on views in areas with view-sensitive elements recognized by the City of Honolulu land use regulations. The Beretania Street Tunnel Alternative would avoid view impacts in Chinatown and along the waterfront by traveling in a tunnel through the Chinatown and Hawai'i Capital Historic Districts. However, from the portal on Beretania Street and continuing along King Street, the elevated guideway would be in a heavily traveled mixed-use corridor with view-sensitive elements, including the Thomas Square/Honolulu Academy of Arts Special District. If the guideway followed Beretania Street, the view between Thomas Square and the Honolulu Academy of Arts would be disrupted.

Den-9

The purpose of the Alternative Analysis is to screen potential alternatives on a number of factors, including but not limited to cost, constructability, and environmental considerations. The Alternatives Analysis makes recommendations on alternatives to be carried forward for further analysis in the environmental process.

Den-10

The analysis for feasibility and prudence of the Beretania Street Tunnel Alternative is discussed in Section 3.4 and 3.5 of the Final Supplemental EIS/4(f). See also Common Response 5 in Section 5.2.4 of the Final Supplemental EIS/4(f).

Den-9

Den-11

Beretania Street Tunnel Alternative is not a prudent alternative because of its extraordinary cost and other factors such as environmental impacts and long-term construction impacts. The extraordinary cost alone makes the alternative not prudent. The analysis for feasibility and prudence of the Beretania Street Tunnel Alternative is discussed in Section 3.4 and 3.5 of the Final Supplemental EIS/4(f). See also Common Response 5 in Section 5.2.4 of the Final Supplemental EIS/4(f).

Operational traffic conditions would be similar for the Project and the Beretania Street Tunnel Alternative and would not result in significant impacts for either the Beretania Street Tunnel Alternative or the Project.

Construction impacts were discussed in the Construction sub-section of Section 3.5.3 of the Draft Supplemental EIS/4(f). Considerable traffic impacts would result during construction of the Beretania Street Tunnel Alternative. As detailed in the Draft Supplemental EIS/4(f), over the nearly three-year station construction period, each station would be excavated from above in stages to maintain traffic on portions of the overlying streets. In addition to the closure of substantial roadway capacity during construction, removal and dewatering of tunnel spoils

Den-9 (cont.) would result in an average of 63 one-way truck trips to or from the site per day. The construction duration would be two years longer than the Project (Figure 13), and the construction area would be larger.

Den-10 Please see the response to Judge Mollway's comment letter, specifically responses Mol-2 and Mol-10. Also see the comments and responses to the General Services Administration.

Den-11 As discussed in response Den-9, the construction duration for the Beretania Street Tunnel Alternative is substantially longer than for an elevated guideway. A comparison of Figure 2 of the Draft Supplemental EIS/4(f) with Figure 13 also establishes this delay. As stated in Section 3.5.5, the monetary cost of delay is included in the cost estimate. Delay will also create costs to the traveling public which are in addition to the project cost.

The analysis for feasibility and prudence of the Beretania Street Tunnel Alternative is discussed in Section 3.4 and 3.5 of the Final Supplemental EIS/4(f). See also Common Response 5 in Section 5.2.4 of the Final Supplemental EIS/4(f).

It is also worth noting that the DSEIS does not present any evidence regarding delayed benefits. Among other things, the document does not contain any detailed timetable for tunnel construction or any evaluation of means to mitigation (alleged) delays, severely limiting the public's opportunity to provide meaningful input on these important issues.

The DSEIS asserts that cost increases associated with the Beretania Street Tunnel Alternative would be an "overwhelming factor" in rendering the alternative imprudent.²⁶ But there are several major problems with the DSEIS's evaluation of costs:

- The DSEIS's cost estimates seem to be recycled from the 2006 AA and the 2010 Final EIS. Judge Tashima has already ruled that these estimates cover the King Street tunnel, not the Beretania Street tunnel.
- The DSEIS's cost estimates are inconsistent with the City's own 2007 tunnel construction cost estimates.
- The DSEIS appears to compare the cost of Segment 4 of the Project (from Iwilei to the Ala Moana Center, stopping short of the rail line's intended terminus at the University of Hawaii-Manoa) with the entire Beretania Street Tunnel Alternative route (stretching from Iwilei to the intended terminus at the University of Hawaii-Manoa). The proper comparison is between the total cost of connecting Iwilei to the University of Hawaii-Manoa using the Project (via Ala Moana Center) with the total cost of connecting Iwilei to the University of Hawaii-Manoa using the Beretania Street Tunnel Alternative (via a downtown tunnel).²⁷
- It is not clear whether the cost estimates in the DSEIS include the (below-ground) station at Ka'aahi Street. For the reasons set forth above, there is no basis to include that station.
- The DSEIS states that we have suggested shortening the rail line so that it does not reach Leeward Community College. That is simply not true. Our position is that the City and the FTA should consider deferring some of the construction at the Ewa end of the rail line (which currently consists of a significant amount of empty agricultural land), perhaps in connection with other cost saving measures, as a method of funding the Beretania Street tunnel. Further extensions at the Ewa end of the line are already contemplated and could be structured so as to include the deferred portion of the current Project.
- The DSEIS assumes that the budget for the rail project will be strictly limited to \$5.544 billion. But that number comes from the City's cost estimate and grant agreement for *the Project*.²⁸ There is no evidence that the Beretania Street Tunnel Alternative would be ineligible for additional federal, state, or local funding.

Finally, the DSEIS's evaluation of prudence is contrary to Section 4(f), the Section 4(f) regulations, and the Supreme Court's decision in *Citizens to Preserve Overton Park v. Volpe*, 401 U.S. 402, (1971). Those authorities provide that an alternative is not imprudent unless it presents "severe problems" that

²⁶ DSEIS at 64.

²⁷ This is particularly true in light of the fact that other parts of the DSEIS ask readers to assume that the Ala Moana-to-University of Hawaii extension of the Project will someday be built. See, e.g., DSEIS at 48.

²⁸ DSEIS at 62.

- Den-12 The cost estimate for the Beretania Street Tunnel Alternative was developed following the same methodology as the estimate for the Project that was included in Chapter 6 of the Final EIS/4(f). The cost estimate for the Beretania Street Tunnel Alternative that was completed during the Alternatives Analysis was updated with current cost information and escalation factors. The cost estimate for the King Street tunnels was not used in the preparation of the estimate. The cost estimate for the Project was provided from Table 6-1 in the Final EIS/4(f) as a point of reference for the estimate developed for the Beretania Street Tunnel Alternative.
- Den-11 (cont.)
- Den-13 The cost estimate in the *May 2007 Tunnels and Underground Stations Technical Memorandum*, as detailed in Chapter 5 of that report, includes only the cost of construction of the tunnel. The cost estimate excluded utility relocation, underground station costs, track or systems costs, and the elevated portion of the alternative that would continue beyond Punchbowl Street, all of which would be required to build and operate the Beretania Street Tunnel Alternative. The complete costs, detailed by cost category, were included in Table 10 in the Draft Supplemental EIS/4(f).
- Den-12
- Den-13 The District Court in its November 1, 2012 Order on Cross Motions for Summary Judgment addressed the commenter's claim regarding the 2007 Technical Memorandum. The District Court concluded that that 2007 Technical Memorandum "did not include utility relocation costs, underground station costs, track work, or other maintenance costs" and "[a]ccordingly, it was not arbitrary and capricious for Defendants to conclude that the King Street Tunnel would cost \$650 million in 2006 dollars." District Court Order at 25.
- Den-14 Please see Common Response 2.
- Den-15 The cost estimate includes all costs for the Beretania Street Tunnel Alternative, including the Ka'aahi Street Station.
- Den-16 Please see Common Response 3.
- Den-17 Chapter 6 of the Final EIS/4(f) provided an analysis of funding sources available to the Project. The total available funds, in year of expenditure dollars, is \$5,544 million. This information was discussed in section 3.5.4 of the Draft Supplemental EIS/4(f). The FTA and HART have executed a full-funding grant agreement limiting the federal funds to be expended for the Project. No additional funds are available for a tunnel alternative and given the significance shortfall in federal transportation funding, significant additional funds are unlikely to be provided to the Project. Any additional state or local funds dedicated to the increased cost of building the Beretania Street Tunnel Alternative would have to be transferred from other programs, such as road repair or bus service, and many of those programs have already experienced budget cuts in recent years. In addition to the environmental impacts described in the Draft Supplemental EIS/4(f), as referenced in Common Response 5, the inability to fund other projects and programs would have environmental and community effects that contribute to the imprudence of the alternative.
- Den-18

"substantially outweigh" the value of preserving the Section 4(f) resources at issue.²⁹ This analysis must begin "with a thumb on the scale" in favor of preservation.³⁰ Here, the Section 4(f) resources at issue — the Chinatown Historic District and the Dillingham Transportation Building — are nowhere mentioned or evaluated in the DSEIS's discussion of imprudence.³¹ The document utterly and completely fails to apply the "substantially outweighs" test. The City and the FTA have used neither the "thumb" nor the "scale."

C. Least Harm

For all of the reasons explained above, the Beretania Street Tunnel Alternative should be considered a feasible and prudent avoidance alternative. Therefore, the concept of "least harm" is not directly relevant. We make the following comments on the DSEIS's "least harm" analysis without waiving any argument regarding the prudence of the Beretania Street Tunnel Alternative.

The DSEIS maintains that the Project is the "least harm" alternative. There are numerous problems with that conclusion.

It is undisputed that the Project would use more Section 4(f) resources than the Beretania Street Tunnel Alternative. Once the DSEIS's egregiously flawed analysis of the OR&L property, McKinley High School, and "King Florist" is corrected, the distinction becomes even clearer: The Beretania Street Tunnel Alternative would result in use of at least 4 fewer Section 4(f) resources than would the Project.³²

Perhaps seeking to obscure this critical fact, the DSEIS focuses on a meaningless criterion: square footage of direct use. In doing so, it fails to address the full extent of the significant adverse impacts the Project would have on Chinatown and the Dillingham Transportation Building. Contrary to the DSEIS's suggestion, the Project would have severe impacts on both Chinatown and the Dillingham Building, even after mitigation, as evidenced in the 2010 Environmental Impact Statement and the City's own Historic Effects Report (among other sources).³³

The DSEIS also fails squarely to confront the fact that the resources that would be avoided by the Beretania Street Tunnel Alternative — and, in particular, the Chinatown Historic District and the Dillingham Transportation Building — are universally considered to be among the most important historic resources in Honolulu. Buildings like "King Florist," a small, run-down, heavily-modified commercial building that has never been identified as historically significant (or even studied in detail) simply do not have the same importance as the Chinatown Historic District and the Dillingham Transportation Building.

The DSEIS also fails to address other impacts on natural and historic resources that would be avoided by the Beretania Street Tunnel Alternative, including (but not limited to) adverse impacts on the historic Nuuanu Stream Bridge and other effects on jurisdictional waterways associated with the Project's crossing of Nuuanu Stream.

²⁹ In particular, see 23 C.F.R. § 774.17 and 73 Fed. Reg. 13368, 13391-92 (March 12, 2008).

³⁰ See 73 Fed. Reg. 13368, 13392 (March 12, 2008).

³¹ DSEIS at 47-64.

³² This does not include Mother Waldron Park, a disputed issue addressed below.

³³ See, e.g., Final Environmental Impact Statement/Section 4(f) Evaluation at 4-71, 4-99 to 4-107, 4-194, etc.; Historic Effects Report (April 14, 2009) at 293-303, 335-37, etc. Attachment 6 contains a visual simulation, prepared by the American Institute of Architects, showing the impacts of the Project on and near the Dillingham Transportation Building.

- Den-18 The analysis for feasibility and prudence of the Beretania Street Tunnel Alternative is consistent with 23 CFR 774, which implements 23 U.S.C. 138 and 49 U.S.C. 303 and codifies prior Section 4(f) case law, and the U.S. DOT Policy Paper as discussed in Section 3.4 and 3.5 of the Final Supplemental EIS/4(f). See also Common Response 5 in Section 5.2.4 of the Final Supplemental EIS/4(f). Chinatown and the Dillingham Transportation Building would not be affected by the Beretania Street Tunnel Alternative; therefore, they are not included in the prudence evaluation.
- Den-19 Per 23 CFR 774.13, a feasible and prudent avoidance alternative avoids using Section 4(f) property and does not cause other severe problems of a magnitude that substantially outweighs the importance of protecting the Section 4(f) property. The Beretania Street Tunnel Alternative is not a feasible and prudent avoidance alternative because it results in a use of Section 4(f) properties. As described in Section 3.3.5 of the Draft Supplemental EIS/4(f), the Beretania Street Tunnel Alternative would use the OR&L Office/Document Storage Building and Terminal Building, former filling station on OR&L property, McKinley High School, and King Florist. Please see Common Response 6 in Section 5.2.4 of the Final Supplemental EIS/4(f).
- Den-20 The least overall harm analysis considers the balancing of several factors, including the relative severity of the remaining harm after mitigation and the relative significance of each Section 4(f) property. The Project would result in a direct use from station entrances and easements on from non-contributing elements to historic properties. In addition to station entrances and easements on historic properties, the Beretania Street Tunnel Alternative would remove, relocate, or alter two historic properties at the OR&L parcel and require demolition of the King Florist Building. See Common Response 5 regarding the Beretania Street Tunnel Alternative as a feasible and prudent avoidance alternative. See responses Den-3, Den-4 and Den-5 regarding the effects of the Beretania Street Tunnel Alternative on the OR&L Property, McKinley High School, and King Florist. Please see Common Response 6 in Section 5.2.4 of the Final Supplemental EIS/4(f) regarding the least overall harm analysis.
- Den-21 The Final EIS/4(f) discussed the adverse effects on the Project on Chinatown and the Dillingham Transportation Building. As documented in the Final EIS/4(f) the Project will cross the Chinatown Historic District in the median of the Nimitz Highway. It will not result in an impact on an element that contributes to the eligibility of the Chinatown Historic District for the NRHP. The Project will not alter the Dillingham Transportation Building. A permanent station entrance will be sited on a modern plaza next to the Dillingham Transportation Building on the same parcel. Figure 4-34 of the Final EIS/4(f) provides a view of the Project looking towards the Dillingham Transportation Building. The Project would include mitigation for impacts to historic properties, as outlined in the Final EIS/4(f) and the Programmatic Agreement for the Project. Please see Common Response 6 in Section 5.2.4 of the Final Supplemental EIS/4(f) regarding the least overall harm analysis.
- Den-22 Please see Common Response 6 regarding the least overall harm analysis.
- Den-23 Other resources were considered in Section 3.7.6 of the Draft Supplemental EIS/4(f) within the context of least overall harm. As stated in the Final EIS/4(f), the Project would not result in a Section 4(f) use of the Nu'uuanu Stream Bridge. The Final EIS/4(f) addressed all impacts of the Project to Nu'uuanu Stream.

The DSEIS does not actually present the "views of the officials with jurisdiction" over Section 4(f) resources.³⁴ Instead, it presents the City's assumptions about what those views might be.

Den-24

The DSEIS's discussion of "least harm" (like its discussion of prudence and feasibility) fails to address the important issues raised by the United States District Court for the District of Hawaii.

Den-25

The DSEIS's "least harm" assertions regarding construction, delays, costs, and alleged impacts are very similar to assertions made in the document's discussion feasibility and prudence. We incorporate by reference our comments on feasibility and prudence.

Den-26

Finally, we note that the DSEIS's discussion and selection of a "least harm" alternative is directly contrary to the requirements of the Section 4(f) regulations and applicable Department of Transportation guidance, both of which mandate selection of the Beretania Street Tunnel Alternative as the option causing the least overall harm.

Den-27

3. The DSEIS Fails The Information About Mother Waldron Park

The DSEIS's discussion of and conclusions about Mother Waldron Park is almost entirely based on a draft National Register form being prepared by the City. That form has not been provided to the public, making it virtually impossible to submit meaningful comments. This is particularly problematic because the conclusions of the draft National Register form with respect to visual and aesthetic impacts appear likely to be very different from the City's previous conclusions about the impact of the Project on the visual environment near the Park.

Den-28

We also note that page 97 of the DSEIS refers to prior public comments on Mother Waldron Park ("in response to public comments..."). To the best of our understanding, this DSEIS represents the first opportunity for public comment in the SEIS process. Please clarify.

Den-29

4. The DSEIS Fails To Address Significant New Information

An SEIS must address significant new information — indeed, that is its purpose. Here, there is significant new information regarding the availability of reasonable, feasible, and prudent alternatives to the City's preferred elevated heavy rail Project.

Den-30

The City previously claimed that none of the alternatives considered in the AA was reasonable, feasible, or prudent because only the Project would satisfy the Purpose and Need for action. The DSEIS admits, for the first time, that alternatives considered (and rejected) during the AA process would, in fact, meet the Purpose and Need for action just as well as the Project.³⁵

Den-24 Chapter 5 of the Draft Supplemental EIS/4(f) summarized agency coordination related to the Supplemental EIS/4(f), including coordination with, and views expressed by the SHPO and the City and County of Honolulu Department of Parks and Recreation, the agencies with jurisdiction over resources in the study area.

The SHPO, ACHP, and the Department of Parks and Recreation were sent copies of the Draft Supplemental EIS/4(f) for review and comment on May 31, 2013. The SHPO and ACHP did not comment on the Draft Supplemental EIS/4(f). The Department of Parks and Recreation noted that they were in agreement with the conclusions of the Draft Supplemental EIS/4(f). The agency comments are reflected in Chapter 5 of the Final Supplemental EIS/4(f).

Den-25 Please see the response to Judge Mollway's comment letter. Also see the responses to the General Services Administration comments.

Den-26 The standards for least overall harm analysis differ from the tests for prudence. The least overall harm test allows for weighing of additional factors than the test for prudence. The least overall harm analysis compares the ability to mitigate impacts; relative severity of the remaining harm after implementation of mitigation; relative significance of each Section 4(f) property; views of the officials with jurisdiction over a Section 4(f) property; degree to which purpose and need are met; magnitude of impacts on non-Section 4(f) resources; and cost. Please see the responses to comments Den-6 through Den-13 regarding the evaluation of feasibility and prudence. See Common Response 6 in Section 5.2.4 of the Final Supplemental EIS/4(f) regarding the least overall harm analysis.

Den-27 Please see Common Response 6 in Section 5.2.4 of the Final Supplemental EIS/4(f). The analysis summarized in Section 3.7.8 and Table 12 of the Draft Supplemental EIS/4(f) present the least overall harm analysis. The Beretania Street Tunnel Alternative is not the alternative that would result in the least overall harm.

Den-28 The Section 4(f) evaluation of Mother Waldron Neighborhood Park and Playground in Section 4 of the Draft Supplemental EIS/4(f) drawn on information from the draft NRHP nomination form the Section 106 finding of effect made for the Project, information from the City and County of Honolulu Department of Parks and Recreation and the Honolulu Community Development Authority that was included in Appendix C to the Draft Supplemental EIS/4(f), and the other sources referenced in Chapter 4 of the Draft Supplemental EIS/4(f).

The NRHP nomination form for Mother Waldron Playground has been prepared according to the requirements of the Programmatic Agreement between the FTA, SHPO, U.S. Navy, and Advisory Council on Historic Preservation (ACHP). There is no requirement for public review of the nomination form. The nomination form that was under review by the SHPO was included in Appendix C to the Draft Supplemental EIS/4(f) and the final form submitted to the SHPO is included in Appendix D to the Final Supplemental EIS/4(f). The City and County of Honolulu Department of Parks and Recreation, the agency with jurisdiction over Mother Waldron Playground, provided comment on a preliminary form, which was included during preparation of the form.

³⁴ DSEIS at 68-69.

³⁵ DSEIS at 19, 47-49, 69.

The DSEIS should be significantly revised to address this significant new information by evaluating additional alternatives to the Project. Alternatives considered should include Bus Rapid Transit (including the Bus Rapid Transit project found to be reasonable, feasible, prudent, and "preferred" in EISs prepared by the City and the FTA in 2002-2003), light rail, and any alternative transit routes or configurations capable of avoiding impacts and/or use of downtown Honolulu's historic resources and parks. The document must then be recirculated for public and agency comment.

Sincerely,

Dentons US LLP

By: 
Nicholas C. Yost
Matthew Adams

cc: Elizabeth Merritt

Attachments

Den-28
(cont.)

Section 4.3 of the Final Supplemental EIS/4(f) was revised to clarify that an evaluation of feasible and prudent avoidance alternatives is required only if the alternative results in a use of a Section 4(f) resource.

See Common Response 7 for additional discussion of Mother Waldron Neighborhood Park and Playground.

Den-29

Various public comments made prior to issue of the Draft Supplemental EIS/4(f), including comments by the plaintiffs, referred to impacts to Mother Waldron Neighborhood Park.

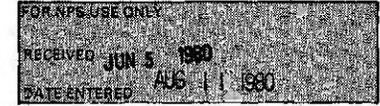
Den-30

As noted in Section 1.1 of the Final Supplemental EIS/4(f), the Supplemental EIS/4(f) was prepared to address the Judgment and Partial Injunction Order of the United States District Court for the District of Hawai'i in Honolulu-Traffic.com et al. vs. Federal Transit Administration et al. The scope of the analysis was limited to whether the Beretania Street Tunnel Alternative was feasible and prudent and whether the Project would "use" Mother Waldron Neighborhood Park under Section 4(f).

The Court granted the Plaintiffs' Motion for Summary Judgment with respect to (1) their Section 4(f) claims that Defendants arbitrarily and capriciously failed to complete reasonable efforts to identify above-ground TCPs prior to issuing the ROD; (2) Defendants' failure adequately to consider the Beretania Street Tunnel Alternative prior to eliminating it as imprudent; and (3) Defendants' failure adequately to consider whether the Project will constructively use Mother Waldron Park. The court granted the Defendants' Motion for Summary Judgment with respect to all other claims [Appendix C to the Final Supplemental EIS/4(f)].

UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

**NATIONAL REGISTER OF HISTORIC PLACES
INVENTORY -- NOMINATION FORM**



SEE INSTRUCTIONS IN HOW TO COMPLETE NATIONAL REGISTER FORMS
TYPE ALL ENTRIES -- COMPLETE APPLICABLE SECTIONS

1 NAME

HISTORIC McKinley High School

AND/OR COMMON

2 LOCATION

STREET & NUMBER 1039 South King Street

CITY, TOWN Honolulu VICINITY OF First NOT FOR PUBLICATION
CONGRESSIONAL DISTRICT

STATE Hawaii CODE 15 COUNTY Honolulu CODE 03

3 CLASSIFICATION

CATEGORY	OWNERSHIP	STATUS	PRESENT USE
<input type="checkbox"/> DISTRICT	<input checked="" type="checkbox"/> PUBLIC	<input checked="" type="checkbox"/> OCCUPIED	<input type="checkbox"/> AGRICULTURE <input type="checkbox"/> MUSEUM
<input checked="" type="checkbox"/> BUILDING(S)	<input type="checkbox"/> PRIVATE	<input type="checkbox"/> UNOCCUPIED	<input type="checkbox"/> COMMERCIAL <input type="checkbox"/> PARK
<input type="checkbox"/> STRUCTURE	<input type="checkbox"/> BOTH	<input type="checkbox"/> WORK IN PROGRESS	<input checked="" type="checkbox"/> EDUCATIONAL <input type="checkbox"/> PRIVATE RESIDENCE
<input type="checkbox"/> SITE	PUBLIC ACQUISITION	ACCESSIBLE	<input type="checkbox"/> ENTERTAINMENT <input type="checkbox"/> RELIGIOUS
<input type="checkbox"/> OBJECT	<input type="checkbox"/> IN PROCESS	<input type="checkbox"/> YES: RESTRICTED	<input type="checkbox"/> GOVERNMENT <input type="checkbox"/> SCIENTIFIC
	<input type="checkbox"/> BEING CONSIDERED	<input checked="" type="checkbox"/> YES: UNRESTRICTED	<input type="checkbox"/> INDUSTRIAL <input type="checkbox"/> TRANSPORTATION
		<input type="checkbox"/> NO	<input type="checkbox"/> MILITARY <input type="checkbox"/> OTHER

4 OWNER OF PROPERTY

NAME State of Hawaii--Department of Education

STREET & NUMBER Queen Liliuokalani Building--1390 Miller Street

CITY, TOWN Honolulu VICINITY OF Hawaii STATE

5 LOCATION OF LEGAL DESCRIPTION

COURTHOUSE, REGISTRY OF DEEDS, ETC. Bureau of Conveances

STREET & NUMBER 1151 Punchbowl Street

CITY, TOWN Honolulu STATE Hawaii

6 REPRESENTATION IN EXISTING SURVEYS

TITLE Hawaii Register of Historic Places 80-14-9926

DATE 1975 FEDERAL STATE COUNTY LOCAL

DEPOSITORY FOR SURVEY RECORDS Department of Land and Natural Resources

CITY, TOWN Honolulu STATE Hawaii

ATTACHMENT 1

7 DESCRIPTION

CONDITION		CHECK ONE	CHECK ONE
<input type="checkbox"/> EXCELLENT	<input type="checkbox"/> DETERIORATED	<input checked="" type="checkbox"/> UNALTERED	<input checked="" type="checkbox"/> ORIGINAL SITE
<input checked="" type="checkbox"/> GOOD	<input type="checkbox"/> RUINS	<input type="checkbox"/> ALTERED	<input type="checkbox"/> MOVED DATE _____
<input type="checkbox"/> FAIR	<input type="checkbox"/> UNEXPOSED		

DESCRIBE THE PRESENT AND ORIGINAL (IF KNOWN) PHYSICAL APPEARANCE

Sited on South King Street in the midst of a medium density urban area, the McKinley High School campus is distinguished by its central quadrangle with a spacious lawn bordered on two sides by seventeen Chinese banyan trees, which were planted by students in the late nineteen twenties. Surrounding the quadrangle are the four original classroom buildings and the Marion McCarrell Scott Auditorium, all of which are stucco veneered, reinforced concrete structures rendered in the Spanish Colonial revival style. Another significant historic building, The Senior Core Building, is located at the Ewa-makai (west) corner of the quadrangle. Other features on the quadrangle include a flagpole in the center, and a statue of President William McKinley, which stands in the middle of an oval drive at the head of the quadrangle, and is flanked on either side by a monkey pod tree. The eight foot high bronze statue rests on a nine foot pedestal made of Hurricane Island granite by the Bardwill Granite Company of Rockland, Maine. The statue is the work of Curzon Osborne, a Honolulu sculptor, and was cast in one piece by the firm of Bartelli in New York, which employed the then innovative "lost wax" technique.

The Buildings:

1. The Commerical Building is a two-story rectangular structure with a red tile hipped roof. It has a center section of nine bays with outset wings at either end. The end bays of the center section contain round arched entries which are elaborately embellished with terra cotta. Above these entries are a pair of second story round arched, double hung sash windows. The remainder of the windows in the center section are casement, with the first story windows featuring round arched architraval trim. The wings are distinguished by three second story round arched windows with wreathed columns. The wings' windows are casement with six panes, and between the first and second stories is a tile panel with a cartouche. The wings terminate with a false front gable with a blind arcade.

2. The Home Economics Building is a one-story, rectangular structure with a red tile hipped roof which is connected to the Commercial Building by a single story, round arched arcade of six bays. The arcade has a red tile gabled roof and a set of centered steps leading to it. The Home Economics Building is seven bays long with a centered round arched entry with a gabled roof dominating the facade. To either side of the entry are five casement windows which are flanked by small round arched windows. The primary design feature of the structure is an elaborately decorated round arched entry with a gabled roof on the mauka (mountain, King Street) side of the building. On either side of the decorative archway are free-standing columns which support ceramic owls.

8 SIGNIFICANCE

PERIOD	AREAS OF SIGNIFICANCE -- CHECK AND JUSTIFY BELOW			
<input type="checkbox"/> PREHISTORIC	<input type="checkbox"/> ARCHEOLOGY-PREHISTORIC	<input type="checkbox"/> COMMUNITY PLANNING	<input type="checkbox"/> LANDSCAPE ARCHITECTURE	<input type="checkbox"/> RELIGION
<input type="checkbox"/> 1400-1499	<input type="checkbox"/> ARCHEOLOGY-HISTORIC	<input type="checkbox"/> CONSERVATION	<input type="checkbox"/> LAW	<input type="checkbox"/> SCIENCE
<input type="checkbox"/> 1500-1599	<input type="checkbox"/> AGRICULTURE	<input type="checkbox"/> ECONOMICS	<input type="checkbox"/> LITERATURE	<input type="checkbox"/> SCULPTURE
<input type="checkbox"/> 1600-1699	<input checked="" type="checkbox"/> ARCHITECTURE	<input checked="" type="checkbox"/> EDUCATION	<input type="checkbox"/> MILITARY	<input type="checkbox"/> SOCIAL/HUMANITARIAN
<input type="checkbox"/> 1700-1799	<input type="checkbox"/> ART	<input type="checkbox"/> ENGINEERING	<input type="checkbox"/> MUSIC	<input type="checkbox"/> THEATER
<input type="checkbox"/> 1800-1899	<input type="checkbox"/> COMMERCE	<input type="checkbox"/> EXPLORATION/SETTLEMENT	<input type="checkbox"/> PHILOSOPHY	<input type="checkbox"/> TRANSPORTATION
<input checked="" type="checkbox"/> 1900-	<input type="checkbox"/> COMMUNICATIONS	<input type="checkbox"/> INDUSTRY	<input type="checkbox"/> POLITICS/GOVERNMENT	<input type="checkbox"/> OTHER (SPECIFY)
		<input type="checkbox"/> INVENTION		

SPECIFIC DATES 1923-4, 1927, 1939 BUILDER/ARCHITECT Davis & Fishbourne, Ossipoff

STATEMENT OF SIGNIFICANCE

The McKinley High School is significant in the history of education in the State of Hawaii as the oldest high school in the State and the leading public school in Hawaii during the nineteen twenties and thirties.

The history of McKinley as a school can be traced back to the Fort Street School of 1865. This school in 1895 was split into Kaulani Elementary School and Honolulu High School. The latter was located in Princess Ruth's Palace on Emma Street until 1908 when the present Linekona School was completed. At the time of the dedication of this new building on Victoria Street, the school's name was changed to McKinley, in honor of the martyred president who had annexed Hawaii as a territory of the United States. The school quickly outgrew its new building and in 1922 plans were drawn by Davis & Fishbourne for a new campus on King Street. The Commercial (1) and Mathematics (4) Buildings were completed in 1923 and the Art (3) and Home Economics (2) Buildings were finished in the following year, at which time the entire student body began using the new campus. The Marion McCarrell Scott Auditorium (5), also designed by Davis & Fishbourne, was dedicated to former principal Scott in May 1928. At the time of its dedication, it was the largest theater in Hawaii with a seating capacity of 1,114. As such, it served not only the students but the community at large, with famous singers and lecturers performing there. The next substantial building erected on the campus was the Senior Core Building (6), a WPA financed project. Louis Davis, the designer of the other campus buildings, was in retirement at this time, but was commissioned to design this building with Vladimir Ossipoff, who did the actual work. Since World War II, numerous buildings have been constructed on the campus, but these are of a more modern and functional design and are not included in this nomination.

Through the nineteen twenties more than half of the high school students in Hawaii attended McKinley. Among its 1929 student body of 2,339, 43% were Japanese, 20% were Chinese, 11% Hawaiian, 10% haoie (white) and 4% Portuguese. Throughout this decade McKinley offered the general public, which was primarily non-white, a level of education previously obtainable only at haoie (white) dominated private schools. The person primarily responsible for the position of McKinley as a harbinger of democratic principles and racial acceptance was Miles E. Carey, the school's principal from 1924 to 1948. A graduate of Columbia University and student of

9 MAJOR BIBLIOGRAPHICAL REFERENCES

Original Blueprints
 Lawrence Fuchs, Hawaii Pono, New York. 1961
 "A Hundred Years; McKinley High School 1865-1965." Honolulu, 1965
 "75 Years." Honolulu, 1940
 Honolulu Advertiser and Star-Bulletin. 1922-1940
 The Daily Pinion, September-December 1939

10 GEOGRAPHICAL DATA

ACREAGE OF NOMINATED PROPERTY approx. 8 acres **UTM NOT VERIFIED**

QUADRANGLE NAME _____ QUADRANGLE SCALE _____
 UTM REFERENCES **ACREAGE NOT VERIFIED**

A	0,4	6,11,9	2,4,0	2,3	5,6	1,8,0	B			
	ZONE	EASTING	NORTHING	ZONE	EASTING	NORTHING				
C				D						
E				F						
G				H						

VERBAL BOUNDARY DESCRIPTION

This nomination includes the property within the red lines as delineated by the enclosed map entitled McKinley High School.

LIST ALL STATES AND COUNTIES FOR PROPERTIES OVERLAPPING STATE OR COUNTY BOUNDARIES

STATE	CODE	COUNTY	CODE
STATE	CODE	COUNTY	CODE

11 FORM PREPARED BY

NAME/TITLE
Don Hibbard-Architectural Historian and Nathan Napoka-Historian

ORGANIZATION
Department of Land and Natural Resources

STREET & NUMBER
1151 Punchbowl Street

CITY OR TOWN
Honolulu

DATE
Nov. 16, 1979

TELEPHONE
548-6408

STATE
Hawaii

12 STATE HISTORIC PRESERVATION OFFICER CERTIFICATION

THE EVALUATED SIGNIFICANCE OF THIS PROPERTY WITHIN THE STATE IS:

NATIONAL STATE LOCAL

As the designated State Historic Preservation Officer for the National Historic Preservation Act of 1966 (Public Law 89-665), I hereby nominate this property for inclusion in the National Register and certify that it has been evaluated according to the criteria and procedures set forth by the National Park Service.

STATE HISTORIC PRESERVATION OFFICER SIGNATURE [Signature] DATE May 28, 1980

FOR NPS USE ONLY

I HEREBY CERTIFY THAT THIS PROPERTY IS INCLUDED IN THE NATIONAL REGISTER

KEEPER OF THE NATIONAL REGISTER DATE 5/10/80

DATE 5-1-80

GPO 921-808

Form No. 10-300a
 (Rev. 10-74)

UNITED STATES DEPARTMENT OF THE INTERIOR
 NATIONAL PARK SERVICE

FOR NPS USE ONLY
 RECEIVED _____
 DATE ENTERED _____

**NATIONAL REGISTER OF HISTORIC PLACES
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CONTINUATION SHEET ITEM NUMBER 7 PAGE 2

3. The Art Building stands across the quadrangle from the Home Economics Building and repeats the same design. The only differences between the two structures are that the Art Building has wood louvered windows rather than casement, and a wing extends from the right rear of the building, thus causing three of the archways of the arcade to be blind.

4. The Mathematics Building, connected to the Art Building by an arcade similar to that between the Commercial and Home Economics Buildings, follows the plan of the Commercial Building, but has different applied ornament. Its round arched entries feature a Griffin in the tympanum and terminate in a manner reminiscent of an accolade. Also the two wings feature a round arched niche supported by a pendentive on the first story, and a set of three blind round arches with wreathed columns on the second. A cartouche with garlands is below the second story blind arches.

5. The Marion McCarrell Scott Auditorium, located at the head of the quadrangle, is a two-story, T-shaped building with a red tile roof. The auditorium is dominated by an outset center section of five bays which serves as the main entry. This section has on the first story three highly embellished, terra cotta, round arched portals which are flanked on either side by a round arched window with a terra cotta ornamented tympanum. The second story features pairs of round arched windows with wreathed columns in the center three sections. Again a single round arched window flanks these major windows. All windows are casement of twelve lights. The three center bays terminate with a false front gable with a blind arcade while the end bays form mock towers with hipped roofs which balance this section. A large octagonal cupola with a red tile roof and a smaller bronze cupola with a finial rise from this center section.

To either side of the center section extends eight bays with ten light casement windows on both stories. The first story windows have round arched architraval trim. The facade terminates at each end with an outset bay with a gabled roof and a large round arched panel. The interior of this structure, as with all the others, remains relatively intact. The building houses the administrative offices of the school, the library, and the auditorium. The central lobby features octagonal columns. On the exterior of the auditorium, on either side of the base of the T, are landscaped areas which are now in a state of disrepair. Numerous coconut palms grow in these areas. In the Diamond Head (south-east) area stands a broken sun dial, the gift of the class of 1922.

UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

**NATIONAL REGISTER OF HISTORIC PLACES
INVENTORY -- NOMINATION FORM**



CONTINUATION SHEET

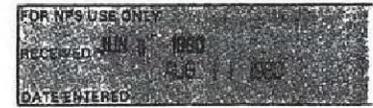
ITEM NUMBER 7 PAGE 3

6. The Senior Core Building, built in 1939, is a two-story, U-shaped, reinforced concrete building with a red tile hipped roof with overhanging eaves and exposed rafters. Its center section and wings are each five bays wide, with the center section's three middle bays having a stepped entry. Other access portals are located at the ends of the wings and at the intersection of the wings and the center section. These portals all feature cast stone decorative panels above their openings. These panels depict a man with sharks, and a woman with breadfruit and mo'o (dragons, lizards). The building is distinguished by an inset wrap-around lanai (porch) on the first and second stories which faces makai (ocean) to protect against the rains coming from the mountains. The lanai (porch) railings have terra cotta trim on top and feature terra cotta ornamentation which depict Island produce--breadfruit, taro, and papaya. All windows are double hung sash with bottom transoms of four lights. The wings' front walls have cast stone ornamentation on the first story and a second story balcony.

Although this building is not fifty years old, it is included in the nomination as it perpetuates the spirit of the older buildings, and is one of the more outstanding examples of tropical design applied to a school building in the nineteen thirties. Since the end of World War II, the Department of Education has built in an austere manner, erecting minimal buildings of concrete block in an effort to save tax dollars. Thus, this structure is easily recognizable as belonging to a distinct period whose time has passed.

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CONTINUATION SHEET

ITEM NUMBER 8 PAGE 2

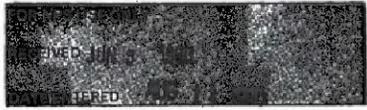
Dewey's, Carey was the most significant educator in Hawaii during the nineteen twenties and thirties. His most important contribution to McKinley was the development of the "core curriculum" of English and Social Studies. His objective was to center the teaching of English around real social problems, and to encourage democratic participation by students as they learned. The program was very popular among teachers and students, but ran into opposition within the community. Many people considered Carey too pro-Japanese (he spent part of World War II volunteering his help in a Japanese relocation center on the mainland), and they thought his core program to be too liberal, as he was encouraging his students to take part in the democratic process of government. Many people well understood that participation could lead to control of the system, thus those in power regarded his methods as quite threatening. Carey's influence on the history of Hawaii has been long lasting as can be readily attested by merely perusing the photographs of illustrious alumni which hang on the wall in the halls of the Marion McCarrell Scott Auditorium. These include such political leaders as Governor George Ariyoshi, former U.S. Senator Hiram Fong, and U.S. Senator Dan Inouye.

As part of the core program, the students did most all the landscape work on the campus and helped to maintain the school grounds as well. In 1924, a chapter of the National Honor Society was established at the school, the first such chapter granted a school in an American possession outside the United States.

McKinley High School is also architecturally significant as one of the most elegant examples of Spanish Colonial revival architecture in Hawaii, along with the Hawaiian Electric Building by York and Sawyer, and the Y.W.C.A. by Julia Morgan. Designed in the early nineteen twenties, its style is typical of the era, a period when architects were self-consciously approaching the question of an indigenous architectural design characteristic for Hawaii. From the early twenties through the thirties the Mediterranean and Spanish architectural forms experienced much popularity in the Islands, as might be noted in such buildings as the O.R. & L. Depot, Honolulu Academy of Arts, Federal Building, Honolulu Hale, Royal Hawaiian, C. Brewer Building, and numerous residences.

The extensive use of elaborate terra cotta embellishment employed on the buildings at McKinley is particularly noteworthy, and represent the most lavish use of this material on Spanish Colonial revival style buildings in the State.

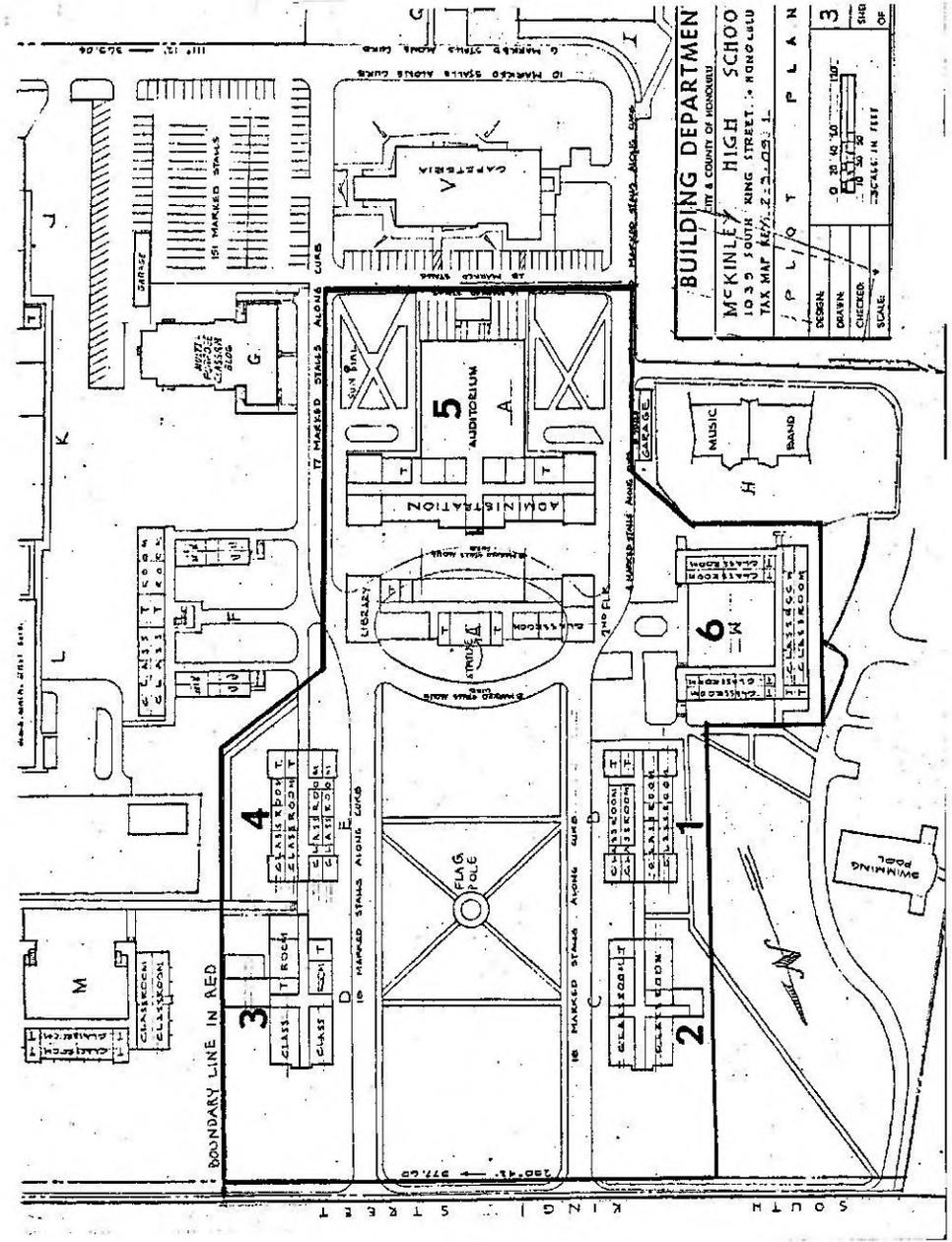
**NATIONAL REGISTER OF HISTORIC PLACES
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CONTINUATION SHEET

ITEM NUMBER 8 PAGE 3

The Senior Core Building (6), completed in 1940, is not yet fifty years old. This structure is of exceptional significance; its ornamentation and open, airy spaces, make it one of the more outstanding examples of thirties public architecture to consciously embody a Hawaiian architectural style.





King Florist
1296 S Beretania St #103
Honolulu, HI 96814
808-597-1802

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Cities: Honolulu, Kaneohe:

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Cemeteries: Diamond Head Memorial Park; Greenhaven Memorial Park; Homelani Memorial Park Inc; Honolulu Memorial Park; Maui Memorial Park Inc; Oahu Cemetery; Valley Of The Temples Memorial;

Funeral Homes: Borthwick Mortuary; Hawaiian Memorial Park Cemetery & Crematory; Hasei Garden Mortuary Inc; Mililani Downtown Mortuary; Moanalua Mortuary; Nakamura Mortuary Inc; Williams Funeral Service; Windward Mortuary; Windward Mortuary At Valley; Woolsey Funeral Home & Cemetery;

Hospitals: Hawaii State Hospital; Kapiolani Medical Center; Kuakini Health System; Leahi Hospital; Queen's Medical Center; Rehabilitation Hospital; Shriners Hospital For Children; St Francis Medical Center; Straub Clinic & Hospital Inc;

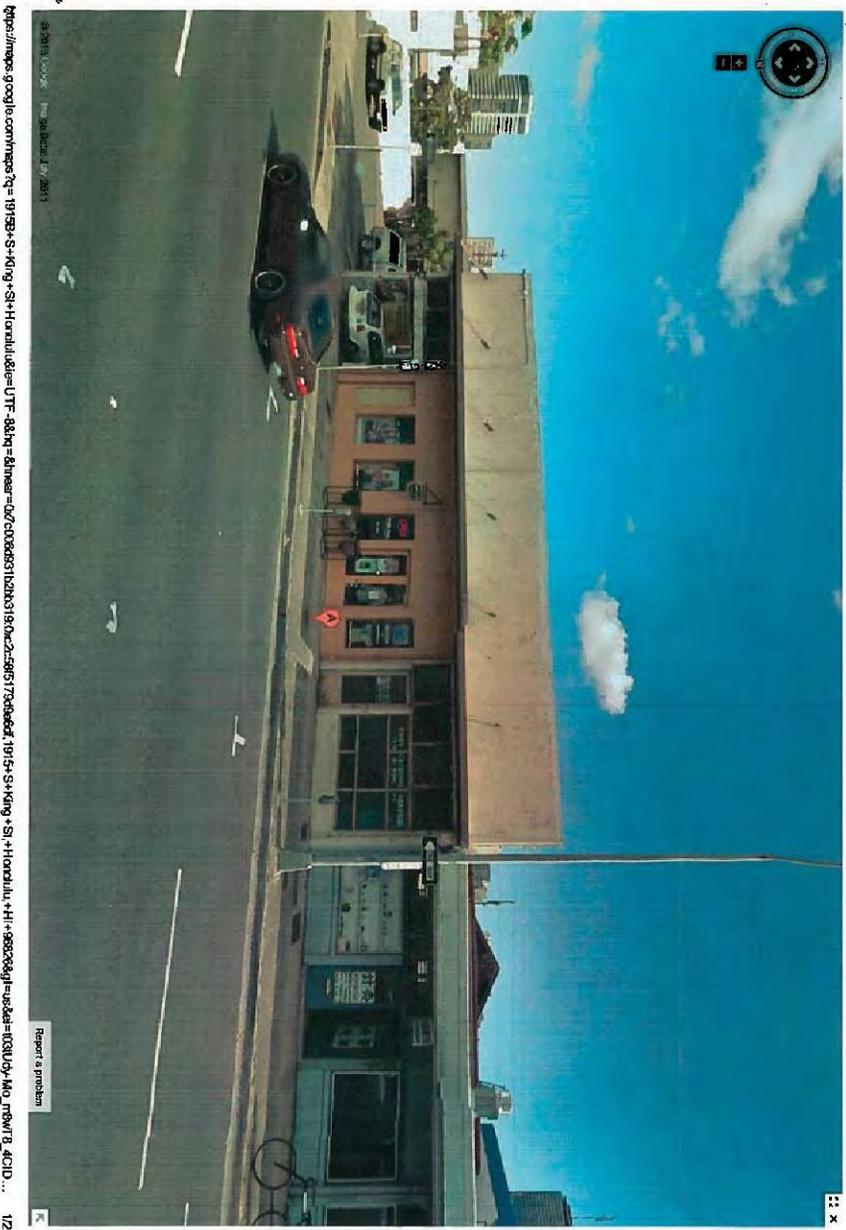
King Florist Sells the Following:

Fresh Flowers - Domestic; Fresh Flowers - Exotic; Fresh Flowers - European; Fresh Flowers - Roses; Fresh Flowers - Orchids; Plants - Green;
www.flowershopsofamerica.com/0055/index.aspx?memberid=248424

ATTACHMENT 2

Google

To see all the details that are visible on the screen, use the "Print" link next to the map.



ATTACHMENT 3

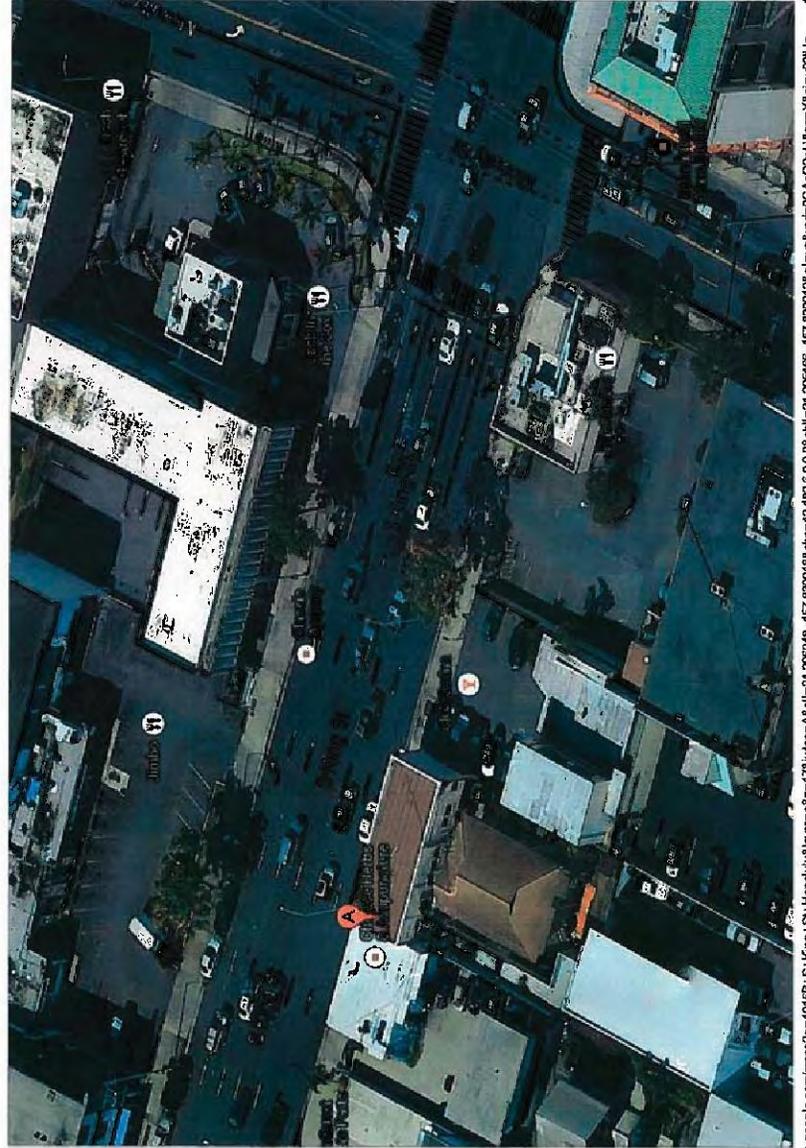
ATTACHMENT 4

7/22/13

19155 S King St Honolulu - Google Maps



To see all the details that are visible on the screen, use the "Print" link next to the map.



<https://maps.google.com/maps?q=19155+S+King+St+Honolulu&layer=c&sz=17&vloc=A&ajl=21.295048;-157.830916&api=13.182,0,0,0,0&cbll=21.295166;-157.830912&gl=us&ved=DCAvQ2wU&ser=X&ei=u03Ua...>



UNITED STATES DISTRICT COURT

CHAMBERS OF
SUSAN OKI MOLLWAY
CHIEF UNITED STATES DISTRICT JUDGE

DISTRICT OF HAWAII
300 ALA MOANA BOULEVARD, C-409
HONOLULU, HAWAII 96850-0409

TELEPHONE
(808) 541-1720
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July 8, 2013

ATTACHMENT 5

Mr. Ted Matley
FTA Region IX
201 Mission St., Ste. 1650
San Francisco, CA 94105

Mr. Daniel A. Grabauskas
Honolulu Authority for Rapid Transportation
City and County of Honolulu
1099 Alakea St., Ste. 1700
Honolulu, HI 96813

Re: Draft Supplemental Environmental Impact Statement
Section 4(f) Evaluation of Honolulu Rail Transit Project

Gentlemen:

On behalf of the United States District Court for the District of Hawaii, I submit that the Draft Supplemental Environmental Impact Statement ("DSEIS") fails to give adequate consideration to the Beretania Street Tunnel Alternative.¹

In his Order on Cross-Motions for Summary Judgment filed November 1, 2012, Judge A. Wallace Tashima directed that: "Defendants must fully consider the prudence and feasibility of the Beretania tunnel alternative specifically, and supplement the FEIS and ROD to reflect this reasoned analysis in light of evidence regarding costs, consistency with the Project's purpose, and other pertinent factors. . . . Should

¹ In a letter dated May 30, 2012, I previously submitted reasons that the Halekauwila Street route was neither prudent nor feasible, particularly with respect to still unresolved serious security risks to the United States District Court building presented by the proposed route of the Honolulu Rail Transit Project.

Mr. Ted Matley
Mr. Daniel A. Grabauskas
July 8, 2013
Page 2

Defendants determine, upon further examination of the evidence, that their previous decision to exclude the Beretania alternative because it would be imprudent was incorrect, they must withdraw the FEIS and ROD and reconsider the project in light of the feasibility of the Beretania tunnel alternative. . . .” Order at page 27.

The Beretania Street Tunnel Alternative accomplishes the original intended goal of the Honolulu Rail Transit Project, while the Project’s proposed route to the Ala Moana Shopping Center does not. Indeed, under the heading “1.4.1 Purpose of the Project”, on page 12, the DSEIS proclaims: “The purpose of the Honolulu [Rail Transit] Project is to provide high-capacity rapid transit in the highly congested east-west transportation corridor between Kapolei and UH Manoa, as specified in the Oahu Regional Transportation Plan 2030 (ORTP)(OahuMPO 2007).” (Emphasis added.)

Remarkably, the Project’s proposed rail route fails to run along “the highly congested east-west transportation corridor between Kapolei and UH Manoa,” the very corridor expressly identified as the route the Project is intended to serve.

The Project’s proposed rail route does not go anywhere near the UH Manoa campus. Instead, it goes to the Ala Moana Shopping Center! The DSEIS then unrealistically posits that a UH student, after riding the rail to Ala Moana, can transfer to a bus to get to the UH campus and, even including the time spent getting to the bus boarding area and waiting for the bus, arrive within 9 minutes. (See Table 3, page 48 of the DSEIS: Waianae to UH Manoa: Beretania Street Tunnel – 84 minutes; The Project – 93 minutes.)

The DSEIS opines that the Beretania Street Tunnel Alternative will increase the capital cost of the Project by \$960 million (page 61) and add 2 years to its construction duration (page 58). However, the DSEIS fails to opine, or even consider, what the capital cost of the proposed future extension from the Ala Moana Shopping Center to UH Manoa might be. There could be a major cost-saving in implementing the Beretania Street Tunnel Alternative now rather than pursuing a possible two-stage development involving initial construction of the rail route to the Ala Moana Shopping Center and later extension to UH Manoa. In fact, given the economy, sequestration, the loss of Senator Inouye’s influence, and other intervening factors, it is realistic to question whether the extension to UH Manoa will ever be built. It is critical to accomplish the intended purpose of the Honolulu Rail Transit Project “to provide high-capacity rapid transit” by a rail route to UH Manoa now, while we have the best opportunity to do so.

Mr. Ted Matley
Mr. Daniel A. Grabauskas
July 8, 2013
Page 3

UH Manoa, with a student body of 20,426, plus professors, administrators, maintenance staff, and others, is a major contributor to Oahu’s severe traffic problems. These problems would be significantly improved by the Beretania Street Tunnel Alternative. The Project’s proposed Ala Moana route promises nothing close to that improvement. Moreover, the proposed Fort Street Station that is part of the Beretania Street Tunnel Alternative would be in easy walking distance of downtown workplaces. Passage by bus directly to Waikiki could be provided from the proposed Kalakaua Station. Although Kapolei and other areas in West Oahu have shopping centers with both comparable shops as well as many stores offering discounted merchandise, the court understands that passengers from those parts of the island may want to go to the Ala Moana Shopping Center. Those passengers would be able to transfer to buses at the proposed Pensacola Street Station (DSEIS page 20).

The DSEIS suggests that the Beretania Street Tunnel Alternative risks reaching the water table and thereby creating settlement problems (page 45). However, the DSEIS itself acknowledges that any such risk could be significantly mitigated. Indeed, in many other cities tunnels have been successfully and safely constructed at that level. In the alternative, the rail could be elevated above street level, which presumably would be less costly. (HART appears to have rejected a street-level alternative because of vehicular traffic and safety concerns.)

To those familiar with the historic structures in the downtown area, it appears that the DSEIS may well overstate the relative impact the Beretania Street Tunnel Alternative would have on historic buildings as compared to the impact the present proposed route would have. (page 68).

Nor does it appear that the effect the Beretania Street Tunnel Alternative would have on vehicular traffic would be significantly greater than the Project’s proposed route along Ala Moana Boulevard and Halekauwila Street (page 61).

It also appears that the Beretania Street Tunnel Alternative would avoid obstructing the view corridors for the Capitol District from Punchbowl to the waterfront as established in Land Use Ordinance Sec. 21-9.30-1.3, which the Project’s proposed Ala Moana route would violate (page 20).

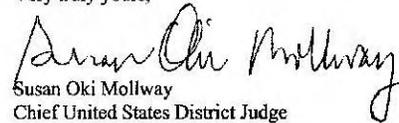
While suggesting that a Beretania Street tunnel might affect some archeological and burial sites, the DSEIS acknowledges that fewer such sites would likely

Mr. Ted Matley
Mr. Daniel A. Grabauskas
July 8, 2013
Page 4

be affected because the Beretania Street Tunnel Alternative is further inland than the Project's proposed Ala Moana route (page 57).

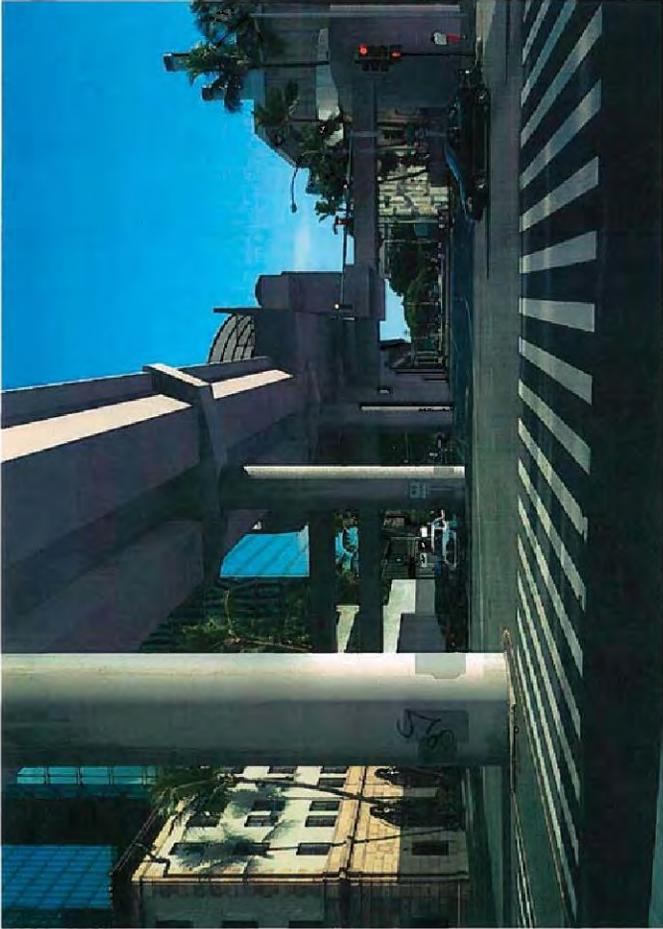
In conclusion, the court urges you to recognize that the Beretania Street Tunnel Alternative, which is a more prudent and feasible route for the Project than the route presently proposed, has not been adequately considered in the DSEIS.

Very truly yours,


Susan Oki Mollway
Chief United States District Judge

ATTACHMENT 6

cc: Matthew G. Adams
Michael Jay Green
David B. Glazer
John P. Manaut
Harry Yee
Peter C. Whitfield
Don S. Kitaoka
Edward V. A. Kussy
Robert D. Thornton
William Meheula
Robert P. Richards
Elizabeth S. Merritt



Record Date : 7/22/2013
First Name : Dr. Kioni
Last Name : Dudley
Business/Organization : Friends of Makakilo
Address :
Apt./Suite No. :
City :
State :
Zip Code :
Email :
Telephone :
Add to Mailing List :

Submission :

I am sending two articles that I have written about Groundwater Inundation and its effects on the Rail. The first article is found here. The second will follow in an other e-mail.
And you thought Sea Level Rise was a big problem
by Dr. Kioni Dudley

Last Saturday, the Star Advertiser's headline was one word, "Wow!" commenting on 700' high-rises HCDA is proposing for Kaka'ako. As this article will show, that headline should have been, "Ouch!"

Within the lifetimes of current young adults and children, rising seas will erode our beaches, and flood low-lying streets and roads around the island. By the latter part of this century, portions of Waikiki, Mo'ili'ili, Ala Moana, and Kaka'ako will stand in sea water at high tide. Key thoroughfares and intersections in urban Honolulu and around the island will be below sea-level. (See map.)

But Sea Level Rise is just the start of our problems.

A research paper by UH professors Kolja Rotzoll and Charles "Chip" Fletcher in the prestigious scientific journal Nature Climate Change discusses another hidden, unexpected, and potentially more massive problem: groundwater inundation. (See <http://www.nature.com/nclimate/journal/v3/n5/full/nclimate1725.html>) The coastal plains of each island, created by lava flows and ancient coral reefs and then covered by layers of sediment, are a massive array of porous geology. In low-lying areas, the water table (the sub-surface level below which the ground is completely saturated with water) lies just below the surface. There, fresh water, which has seeped down, floats atop salt water which has worked its way in from the ocean. This salt water, which is generally at the same height as sea level, rises and falls with the tides. As the sea level rises in the future, it will cause this salt water to also rise permanently, pushing the fresh water above it up through the ground. Once the water pushes up above the surface, it will have nowhere to go, and will just sit there. Rain will add to the problem. As the accompanying map shows, groundwater flooding will put far greater parts of Waikiki, Mo'ili'ili, Ala Moana, permanently under water, along with much of Kaka'ako where the 700 foot high rises are planned. Ouch! Low-lying areas in Leeward, and in numerous other places around the whole island will also be flooded. This groundwater inundation will begin to be a problem before mid-century and will continue to grow and spread as the seas rise, for centuries to come. Being inland groundwater, pushed up through the land surface, it cannot be stopped by dikes.

In light of all of this, does it make sense to build skyscrapers in the Kaka'ako floodlands? Should we really construct more buildings in Waikiki? Is it logical to build a rail line from Kapolei to Ala Moana, if much of the route, and all of the Ala Moana area, lie deep in the future flood zone? Are we set to spend billions on rail, sewers, water mains, and roads, that need to be re-directed?

The first concern in the old O'ahu General Plan was the need to control population growth. Given our projected future, is it moral to invite, and build homes for, unsuspecting malihini, as we are now doing? Is it wise to keep expanding tourism? Is it fair to our own descendants to bring in more people who will draw down their declining supply of drinking water? Worldwide, costs to accommodate sea rise will push up prices on everything, making imports, including food, far more expensive. We will need to grow much more, if not all, of our own food. Isn't it suicidal to sacrifice today's highest producing farmlands for unnecessary housing projects?

Dud-1

The FTA and HART appreciate the commenter's interest in the Honolulu Rail Transit Project. Please see Common Response 11 in Section 5.2.4 of the Final Supplemental Environmental Impact Statement/Section 4(f) Evaluation [EIS/4(f)] regarding comments outside of the scope of the Supplemental EIS/ 4(f). Please see Environmental Protection Agency comments and response in Appendix A to the Final EIS/4(f) regarding sea level rise.

Dud-1

Where are the county plans to guide all of this?

In 2012, the State legislature passed Act 286, which directed that all county general plans (like the O'ahu General Plan) and county development plans (like the Ewa Development Plan) must engage in focused research to produce models of future climate changes and their impacts, and must include in the plans steps to address those impacts. That is not happening.

Developers, construction unions, banks, landowners, and others who profit directly from development have enough friends in the right places that, instead of addressing climate change, the City is moving to get as much anticipated development through the approval gate as possible, before the populace wakes up.

It's time to stop all County plan approvals, to take all the plans back to the drawing boards, and to spend the necessary time to really study the intermediate and long-term ramifications of sea level rise and groundwater inundation for the whole island, and to work out steps to address them, as Act 286--state law--requires.
(For greater understanding of the problems discussed here, see the site "Sea Level Rise Hawaii," created by UH Professor Chip Fletcher. at <http://www.soest.hawaii.edu/coasts/sealevel>.)

Professor Ira Rohter (d. 2009) is regarded as the "Father of Sustainability" for the islands. I had the honor of publishing his major work: A Green Hawai'i Sourcebook for Development Alternatives. As early as 2002, he was teaching that the two most important forces to address during the rest of our lifetimes are rising seas and peak oil. This article is dedicated to his genius.

The attached picture really must accompany this article. It should be captioned: "Rotzoll, K. and Fletcher, C., 2013, Assessment of groundwater inundation by sea level rise; Nature Climate Change, 3, 477-481, DOI:10.1038/NCLIMATE1725"
The top map might be titled, "Areas flooded by the ocean with sea level rise of 1 foot, 2 feet, and 3 feet."
The bottom map might be titled, "Total flooded areas by the ocean and by groundwater inundation at sea level rise of 1 foot, 2 feet, and 3 feet."
On both maps, it would be helpful for readers if Kaka'ako, Ala Moana, Mo'ili'ili, and Waikiki were identified.

Reply Requested :

Record Date : 7/22/2013
First Name : Dr. Kioni
Last Name : Dudley
Business/Organization : The Friends of Makakilo
Address :
Apt./Suite No. :
City :
State :
Zip Code :
Email :
Telephone :
Add to Mailing List :

Submission :

This is the second of two articles I have written about Groundwater Inundation. Please note the map at the end.

Best Overall News Site
2010 & 2011 Excellence in Journalism Award
Friday, June 21st, 2013
Honolulu Council Begging for Sea Level Rise Lawsuits
By Kioni Dudley 06/20/2013
Civil Beat/RJ Brown

Last week New York City's mayor announced that the city is spending \$20 billion to protect against sea level rise. To our great peril, our city and county government, on an island surrounded by the sea, refuses to acknowledge that there is even a problem — it being a far more important mission to clear the way for more development.

Last Saturday, people lined up all night to sign up for apartments in The Symphony, a new high rise across the NBC arena. As the accompanying map shows, in a few decades that land will be under water due to groundwater inundation — the rise of groundwater (which floats on seawater) being pushed up through the surface by sea level rise.

The City Planning Commission is considering approval of a high rise for the YMCA property on Atkinson, which will be deep in the flooded area. Plans move ahead for high-rises in Kaka'ako and Waikiki.

When the groundwater flooding begins, whom will these people blame for allowing them to build there? Whom will they sue? Taxpayers will pay for the lawsuits against the city.

On Friday, the Rail put out word that it is moving to four-car trains. Why aren't they admitting that groundwater inundation has made folly of the whole project? Passengers will need boats to reach the last four stations. The route from downtown to the floating island, Ala Moana Center, will all be under water. The path of the train, its destination, perhaps its whole purpose may have to be completely revamped. Perhaps the Rail project will be dropped entirely.

In Pearlridge, five towers are in advanced planning — classic Transit Oriented Development — with the train station as the focal point. Groundwater inundation has not yet been studied for the area, but sea level rise alone will push Pearl Harbor water over its path to the stadium. None of our county plans incorporate any of the new research on groundwater inundation which will flood much of Kaka'ako, Ala Moana, Waikiki, and Mo'ili'ili...and other low-lying areas of the island. (Read the study by UH professors Kolja Rotzoll and Chip Fletcher.)

Much of the 'Ewa Development Plan(EDP), which is currently before the City Council for approval, centers around the Rail and the Ho'opili development. New Ho'opili literature features two major Transit Oriented Developments centered around Rail stations. If the rail is scuttled, the city will be in a position of encouraging investment in and development of projects based on these plans, with full knowledge that groundwater inundation could well undermine it all.

When people want to sue the city, they will have the 2012 Act 286 to support their cases. That law states that county plans must study the impacts of climate change and ways to protect the people from them. Passing development plans and sustainability plans at this time, when the scientific studies on groundwater inundation have already been published, and news-media articles on groundwater-rise have warned the council against doing so, invites lawsuits. It is irresponsible, and actually, a crime against the people.

The EDP has one more Zoning and Planning meeting on June 27th, then approval by the full council at their July 10 meeting will confirm it as the law.

It must be noted that, although a watery future awaits much of low-lying 'Ewa, the 'Ewa Development Plan will wreck the lives of Leeward residents long before then. In its current form, it will extend the peak

Dud1-1

The FTA and HART appreciate the commenter's interest in the Honolulu Rail Transit Project. Please see Common Response 11 in Section 5.2.4 of the Final Supplemental Environmental Impact Statement/Section 4(f) Evaluation [EIS/4(f)] regarding comments outside of the scope of the Supplemental EIS/ 4(f). Please see Environmental Protection Agency comments and response in Appendix A to the Final EIS/4(f) regarding sea level rise.

Dud1-1

hour freeway commute to two hours each way. It will put houses on 31 percent of the Oahu farmland currently producing fresh fruits and vegetables for our markets and restaurants. And it will exhaust our fresh supply of water, forcing us into desalination...just to mention a few things.

An in depth discussion of these problems with the 'Ewa Development Plan will take place at a Town Hall Meeting from 7:00 to 9:30 p.m. on Tuesday, June 25, at Kapolei High School cafeteria. The public is invited. The meeting can also be viewed live on 'Olelo channel 54. Inundation at MHHW under sea-level rise in the Honolulu caprock aquifer, Oahu, Hawaii:

About the author: Dr. Kioni Dudley is the president of the Friends of Makakilo, and chairman of Save O'ahu Farmlands, and is a retired educator.

Community Voices aims to encourage broad discussion on many topics of community interest. It's kind of a cross between Letters to the Editor and op-eds. This is your space to talk about important issues or interesting people who are making a difference in our world. Columns generally run about 800 words (yes, they can be shorter or longer) and we need a photo of the author and a bio. We welcome video commentary and other multimedia formats. Send to news@civilbeat.com.

3

About the Author
Kioni Dudley
Contributor

Articles /
Kioni Dudley
Topics /
Kioni Dudley

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Reply Requested :

Record Date : 6/17/2013
First Name : William
Last Name : Emst
Business/Organization :
Address :
Apt./Suite No. :
City :
State :
Zip Code :
Email :
Telephone :
Add to Mailing List :
Submission :

I believe that you have left out the most important place for a Rapid Transit Station. The rail line should have stops at the University of Hawaii. The college is closed for the summer. As a result we now have a very reasonable commute in the traffic on the H-1 freeway. Most commuters will save 30 minutes on each leg of their commute to work in Honolulu when school is not in session.

Ern-1

Ern-1

The FTA and HART appreciate the commenter's interest in the Honolulu Rail Transit Project. Please see Common Response 11 in Section 5.2.4 of the Final Supplemental Environmental Impact Statement/Section 4(f) Evaluation [EIS/4(f)] regarding comments outside of the scope of the Supplemental EIS/ 4(f). Please see Common Response 2 in Section 5.2.4 of the Final Supplemental EIS/4(f).

The rail system should also have a station at the Honolulu Airport. Just look at the system that Toronto, Canada has! You can take your suitcase and leave home and ride on the bus and the rail to the airport. What a wonderful system. My brother lived in Toronto for years and it was always a pleasure to use the Toronto bus and rail systems.

Ern-2

Ern-2

Please see Common Response 11 in Section 5.2.4 of the Final Supplemental EIS/4(f) regarding comments outside of the scope of the Supplemental EIS/ 4(f).

Getting to and returning from our airport should be created with the state of the art planning and new equipment. We are going to spend millions on upgrading the airport and not a dime on improving the transportation. You should be able to take your suitcase on The Bus or the Rail to and from our airport. This would reduce van, bus, taxi and private vehicle traffic on the roadways and at the airport.

You need to make changes that improve the efficiency of transportation choices and reduce the time spent commuting.

Reply Requested :

Record Date : 6/20/2013
First Name : Ralph
Last Name : Faufata
Business/Organization :
Address :
Apt./Suite No. :
City :
State :
Zip Code :
Email :
Telephone :
Add to Mailing List :

Submission : Requested information on status of AIS work and lawsuit, Federal hearing on 8/15 and SEIS documentation. Wants to know when the project will resume its Waipahu HART community meetings | Fau-1

Reply Requested :

Fau-1

The lawsuit in State of Hawai'i court is independent of this Final Supplemental Environmental Impact Statement/Section 4(f) Evaluation [EIS/4(f)]. Information on the Archaeological Investigation Survey and public meetings is available on the Project website at www.honolulutransit.org. Public outreach for the Supplemental EIS/4(f) is discussed in Chapter 5 of the Final Supplemental EIS/4(f).

Record Date : 7/19/2013
First Name : Joseph
Last Name : Ferraro
Business/Organization :
Address :
Apt./Suite No. :
City :
State :
Zip Code :
Email :
Telephone :
Add to Mailing List :

Submission : July 19, 2013

Mr. Ted Matley
FTA Region IX
201 Mission Street, Suite 1650
San Francisco, CA 94105

Mr. Daniel A. Grabauskas
Honolulu Authority for Rapid Transportation
City and County of Honolulu
1099 Alakea Street, Suite 1700
Honolulu, HI 96813

Subject: Honolulu Rail Transit Project
Draft Supplemental Environmental Impact Statement

Dear Messrs. Matley and Grabauskas:

I am writing to comment on the Draft Supplemental Environmental Impact Statement/Section 4f Evaluation [EIS/4(f)] dated May 2013.

I have reviewed the Draft Supplemental EIS/4(f) and wish to express my family's wholehearted support for the Beretania Street Tunnel Alternative. Unlike the current proposed Project, the Tunnel Alternative would offer the following significant benefits to transit riders and the public alike:

- A more convenient transit route closer to the central corridor of Honolulu
- A direct connection between the UH West Oahu and UH Manoa campuses
- Preservation of the views and character of Honolulu's most historic waterfront, Chinatown and Hawaii Capital Special Districts

Although this alternative will cost more, an estimated \$1B, in the long run, the cost to eventually implement a transit system to the UH would probably be less expensive. And without a change in train lines, the commute would also be faster (the HART mantra) and more direct. Is it more important to bring people from the Ewa plain to Ala Moana shopping center or to the University of Hawaii?

Should the transit route remain along the Nimitz corridor, I urge HART to more seriously consider the alternative of implementing a Fort Street Mall station instead of the proposed Downtown station. Fort Street Mall already serves as the primary public Mauka/Makai pedestrian thoroughfare from the Aloha Tower to Beretania Street. As such, it presents a natural and logical station location for a transit system intended to serve pedestrians. Compared with the proposed PGC plaza, Fort Street is also more appropriately configured to accept the expected magnitude of foot traffic during peak periods.

Sincerely Yours,

Joseph J. Ferraro FAIA, LEED AP
2703 Terrace Drive
Honolulu, HI 96822

Reply Requested :

Fer-1 Please see Common Response 5 in Section 5.2.4 of the Final Supplemental EIS/4(f) regarding the Beretania Street Tunnel Alternative as a prudent and feasible avoidance alternative. See Common Response 2 regarding the cost of servicing UH Mānoa with rail. FTA and HART acknowledge the commenter's support for the Beretania Street Tunnel Alternative.

Fer-1

Fer-2 Please see Common Response 11 in Section 5.2.4 of the Final Supplemental Environmental Impact Statement/Section 4(f) Evaluation [EIS/4(f)] regarding comments outside of the scope of the Supplemental EIS/ 4(f), including comments on system and station planning for the Project. The Final EIS/4(f) evaluated alternative locations for the Downtown Station.

Fer-2

Record Date : 7/12/2013
First Name : Jeffrey
Last Name : Gaskell
Business/Organization :
Address :
Apt./Suite No. :
City :
State :
Zip Code :
Email :
Telephone :
Add to Mailing List :
Submission :

Dear HART,

I was thinking about the awnings on platforms of the transit station designs. The current white sail design is reminiscent of the ones atop the Convention Center, and it definitely qualifies as a "Hawaiian" design element. However, I was thinking that those awnings could be further improved if they were made out of photovoltaic material. I looked online for "PV awnings" and there are many examples currently in use worldwide. I'm not sure if they could be fashioned into a sail shape to retain the original design, but it would create a visually stunning see-through gridded canopy.

Costwise, the PV panels could be supplied by a local vendors at minimal cost in exchange for being allowed to place their logo in a visible area nearby (tastefully done of course so as not to create undue visual clutter) it could be a similar arrangement to what you see at electric vehicle charging stations around town where companies get advertising space for providing the charging systems.

It would also be good PR for Rail to create a green image that they can offset some of the energy requirements of running escalators, elevators, lighting and ticketing machines.

Obviously, the panels would need to be made hurricane proof, so that would be my main concern, but I think the concept has merit. Just wondering if the idea has been considered or addressed by the design committee.

Thanks, Jeff Gaskell

Reply Requested :

Gas-1

Gas-1

The FTA and HART appreciate the commenter's interest in the Honolulu Rail Transit Project. Please see Common Response 11 in Section 5.2.4 of the Final Supplemental Environmental Impact Statement/Section 4(f) Evaluation [EIS/4(f)] regarding comments outside of the scope of the Supplemental EIS/ 4(f). Comments on station design were addressed in the Honolulu High-Capacity Transit Corridor Project Final Environmental Impact Statement/Section 4(f) Evaluation issued in June 2010. The comments on station design were forwarded to the Project's design team.

Mr. Daniel A. Grabauskas
Honolulu Authority for Rapid Transportation
City and County of Honolulu
1099 Alakea Street, Suite 1700
Honolulu, HI 96813

HART
73 JUL 22 11:57

July 19, 2013

Subject: Comments on the Honolulu Rail Project Draft Supplemental Environmental Impact Statement (SEIS)

Mr. Grabauskas:

I am submitting these comments despite the likelihood that the Honolulu Authority for Rapid Transportation (HART) will not only successfully rebuff the efforts of rail opponents to terminate the project but also provide enough rationale to preclude any move for U.S. District Court Judge Susan Oki Mollway's recommendations for tunneling to preserve downtown Honolulu view planes and for changing the alignment to reach the University of Hawaii (UH) Manoa campus rather than the Ala Moana Center for the eastern terminus of the system. I may be "tilting at windmills" but believe it is important to "go on record" as an advocate for using more advanced technology (i.e., medium-speed magnetic levitation [maglev] for urban operations) for any future expansion of the rail system. (NOTE: That recommendation was submitted to Mayor Kirk Caldwell earlier this year.)

Gen-1

Gen-1

The FTA and HART appreciate the commenter's interest in the Honolulu Rail Transit Project. Comments on project limits and technology were addressed in the Honolulu High-Capacity Transit Corridor Project Final Environmental Impact Statement/Section 4(f) Evaluation [EIS/4(f)] issued in June 2010. Please see the responses to the comments on Judge Mollway's letter.

The following comments, some of them extracted from my formal reply on the rail project's draft EIS years ago, remain pertinent because—to me—it would be best to "reverse course" and accept a delay to implement the best course of action for O'ahu taxpayers and commuters. That action would encompass the following steps: terminate the existing technology contract but provide a one-time payment to Ansaldo Honolulu Joint Venture, which acted in good faith in the steel wheel on steel rail (SWSR)-only competition, of (perhaps) \$15-20 million as well as advising the firm that it can also submit a proposal for the new contract; develop a new EIS for an alignment that runs mauka of downtown Honolulu and connects East Kapolei with UH-Manoa; using the base price of approximately \$5.3 billion as the estimated cost for the current SWSR project, announce a Request for Proposals for all rail system supplier-guideway construction teams to submit bids as to what they can provide for the available funding; and accelerate the whole process with the assistance of the Federal Transit Administration (FTA).

Gen-2

Gen-2

Please see Common Response 11 in Section 5.2.4 of the Final Supplemental Environmental Impact Statement/Section 4(f) Evaluation [EIS/4(f)] regarding comments outside of the scope of the Supplemental EIS/ 4(f).

I must respectfully disagree with both the current HART project and the (costly) tunneling plan. To me, the best solution would be a fully elevated two-way guideway in the mauka alignment from East Kapolei to UH-Manoa, with a single direction (additionally financed) extension loop that services Ala Moana Center and Waikiki (rather than the currently-planned Waikiki regional bus circulator). With the recent announcement that the Hawaiian Electric Company will remove

the downtown power plant, the City and County may want to reconsider development plans for the area east of Aloha Tower—accompanied by a developer and landowner-business funded bus or light rail (at-grade) circulator through the financial and government districts. As stated (by me) in a commentary published in the May 19, 2013 Honolulu Star-Advertiser, the residential tower plan for Kaka'ako is a transit-oriented development (TOD) plan for buses rather than rail. Such development is better suited for Kapolei to enhance rail ridership and save farm land.

The actual statement in the initial Notice of Intent for this project's EIS is pertinent to my criticism of the city's actions on the rail project. It states that "The draft EIS would consider five distinct transit technologies: Light rail transit, rapid rail transit, rubber-tired guided vehicles, a magnetic levitation system, and a monorail system." None of the EIS documents produced to date come close to anything resembling a consideration of technologies other than SWSR, presumably fitting into the first category above (since it is not planned as being "rapid") but is certainly "heavier" than at-grade systems such as those in Denver, Phoenix, and San Diego.

The draft EIS listed costs for the Airport Alternative at \$5.433 billion. A steel wheels "bridge" construction (using 49 percent of total cost) was estimated at that time at \$2.662 billion, or a cost per mile of \$133 million. The Japanese Linimo supplier estimated construction for a maglev guideway at \$570 million less, or \$2.092 billion, resulting in a cost per mile of \$105 million. Using the steel wheels budget of \$2.662 billion, at least 25 miles of maglev guideway could have been built (i.e., enough to reach the UH-Manoa campus, an important link for ridership, along with a spur into Waikiki).

Operations and maintenance (O&M) costs also would be cheaper using a maglev. Despite a need for about ten percent additional electricity to levitate the train, the virtually frictionless running of the maglev is estimated at 20 to 30 percent less (than an SWSR system) per year. Enormous savings would be realized over 30 years, considerably easing the burden on taxpayers' funding for the transit subsidy. O&M costs savings alone would enable guideway extension into Central O'ahu, a major ridership area. Given the significant savings that can be realized with an urban maglev, the City should never have limited the initial competition to SWSR systems.

The statement in the SEIS appendices concerning the 2008 (so called) expert panel's discussion that ends with "... the alternate rail technologies were eliminated because they are proprietary and did not offer substantial proven performance, cost, and reliability benefits compared to steel-on-steel technology" is just another (continuing) attempt to justify SWSR systems, and is patently false concerning a maglev. Compared to any steel wheels system's performance, a maglev would be faster (at 62.5 miles per hour compared to 55), much quieter (in the range of an average television level in a home, or at least twice as quiet as noise-mitigated [i.e., requiring parapet walls and wheel skirts] SWSR—with the maglev quiet enough to place a station adjacent to the Queen's Medical Center on a mauka alignment without disturbing hospital staff and

patients; one has to wonder at precisely what it would cost to make SWSR as quiet as maglev, as stated in the appendices), and smoother riding because it is levitated above its guideway beam. The narrower guideway used for the maglev (as well as conventional monorail) also would be less physically and visually imposing than the SWSR bridge (making the statement in the appendices about maglev blocking more views also patently false—and making this writer feel, indeed, that the final EIS was arbitrary and capricious). The Nagoya Linimo as of 2009 had carried more than 30 million passengers with a reliability rating of more than 99.9 percent; can any SWSR system match that? The Linimo has now been in revenue operations for more than eight years, making claims that the maglev is unproven technology ridiculous.

As for cost, the supplier of the Linimo (also known as the HSST) estimated materials and construction savings for a maglev guideway at 20 percent less than SWSR. An HSST implementation would have brought about \$1.5 billion in guideway and O&M savings over 30 years. These benefits are indeed substantial, and indicated that the panel's goal in 2008 was to justify the City and County's choice, not perform a real evaluation of each of the suppliers that met the criteria in the initial Request for Information. The irrelevancy of that panel makes any EIS developed to date incomplete because all of the analyses are based solely on SWSR systems. It should be noted that a new fair and open competition may bring in proposals from American, Chinese, and Korean maglev system suppliers as well as one from the Japanese Linimo supplier; in fact, it is quite likely that urban maglev systems will be operational in Beijing and Incheon before the O'ahu SWSR guideway even reaches Pearl Highlands.

It has now been nine years since I became an avid supporter (and unpaid volunteer) for the rail project, five years since I became a constant critic of the project when an open competition for the technology was dropped in favor of an SWSR-only competition, and two years since I returned to lukewarm support only because "something would be better than nothing" for fixed-guideway transit, desperately needed in West O'ahu. Recent events renew hope—however slim—that there still is time to get this right and produce the best system at the best price. At this point, it is almost unfathomable to contemplate HART asking for new funding in the next decade (i.e., two centuries after SWSR was implemented in the United States) to expand an obsolescent SWSR system to meet public demand for rail transit to the Manoa campus, Waikiki, West Kapolei, and (perhaps) Central O'ahu. We can do better. Mahalo and Aloha.



Frank Genadio
Lt. Col., USAF (Ret.)
92-1370 Kikaha Street
Kapolei, HI 96707
(808) 672-9170

Gen-2
(cont.)

Gen-2
(cont.)

95-1523 Ainamakua Dr. #93
Mililani, HI 96789-4420
July 17, 2013

Mr. Ted Matley
FTA Region IX
201 Mission Street, Suite 1650
San Francisco, CA 94105

JUL 19 2013

RE: Public comment on Draft Supplemental EIS/Section 4(f) Evaluation

Dear Mr. Matley:

I'm just a private citizen and I don't know about feasibility of the Beretania Street tunnel. I just have an opinion about the aesthetics: I don't want our Honolulu waterfront to be like a Disneyland theme park or the Las Vegas strip with a train ride cutting across the skyline. The rail line should go underground through the city center.

Hee-1

Hee-1

The FTA and HART appreciate the commenter's interest in the Honolulu Rail Transit Project. Please see Common Response 11 in Section 5.2.4 of the Final Supplemental Environmental Impact Statement/Section 4(f) Evaluation [EIS/4(f)] regarding comments outside of the scope of the Supplemental EIS/ 4(f).

As for Mother Waldron Park, it absolutely can and should be saved, and I can explain why.

The park is located in the Transit Oriented Development area of Honolulu called Kakaako. A special agency, the Hawaii Community Development Authority (HCDA) is in charge of making the rules and approving development of over 20 new high-rise, mixed-use condo towers planned in Kakaako, one as high as 650 feet tall. Urban planner Ralph Portmore has stated that Kakaako will be higher in density than any other Transit Oriented Development in Honolulu or on the mainland!

Hee-2

Hee-2

FTA and HART acknowledge the commenter's support for the Beretania Street Tunnel Alternative. Please see Common Response 3 in Section 5.2.4 of the Final Supplemental EIS/4(f) regarding why the Beretania Street Tunnel Alternative is not a feasible and prudent avoidance alternative.

According to HCDA's executive director Anthony Ching, Kakaako will be a walkable, bikeable community. He said that in 5, 10, or 15 minutes, a person could walk from almost anywhere in Kakaako to Ala Moana Shopping Center, downtown Honolulu, or the beach. He said this live on "Insights," a PBS TV forum on June 13, 2013. Executive Director Ching went on to say:

"I actually want to introduce a new term. Instead of Transit Oriented Development, it's actually **PEDESTRIAN Oriented Development** . . . because you could walk or bike just as fast if not more efficiently . . . The bulk of the [Kakaako development] plan talks about complete streets . . ."

Ching said that cars would not need to drive through the area, that they would park at the edge of Kakaako, and people could walk from there.

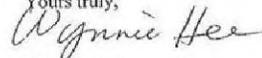
Hee-3

Hee-3

Please see Common Response 7 in Section 5.2.4 of the Final Supplemental EIS/4(f).

Mr. Matley, if the executive director of development in Kakaako believes that Kakaako is NOT dependent on auto transit, surely Kakaako has even less need for an elevated rail line to cut through the neighborhood and absolutely NO need for an elevated train station. Mother Waldron Park can and should be spared!

Thank you for considering my comments.

Yours truly,

Wynnie Hee

Record Date : 7/11/2013
First Name : Lien
Last Name : Hilfer
Business/Organization :
Address :
Apt./Suite No. :
City :
State :
Zip Code :
Email :
Telephone :
Add to Mailing List :

Submission : I would like to use the rail on a daily basis; I will be paying for the rail which I can't use because the rail doesn't to Waikiki. The rail will optimally serve everyone on Oahu if it will service the congested areas of UH and Waikiki. | Hil-1

Reply Requested :

Hil-1

Please see Common Response 2 in Section 5.2.4 of the Final Supplemental EIS/4(f). Rail service to Waikiki is not included in the Project.

First Name : Choon
Last Name : James
Business/Organization :
Address :
Apt./Suite No. :
City :
State :
Zip Code :
Email :
Telephone :
Add to Mailing List :

Submission : Submitted online on <http://www.pbcommentsense.com/hct/seis.aspx>

July 21, 2013

Mr. Ted Matley,
FTA Region IX,
201 Mission Street, Suite 1650,
San Francisco, CA 94105,

Mr. Daniel A. Grabauskas,
Honolulu Authority for Rapid Transportation,
City and County of Honolulu,
1099 Alakea Street, Suite 1700
Honolulu, HI 96813

Draft Supplemental EIS for Honolulu Rail Transit Project (formerly the Honolulu High-Capacity Transit Corridor Project)
"The Honolulu Rail Transit Project is a 20-mile elevated rail line that will connect West Oahu with downtown Honolulu and Ala Moana Center. The Honolulu Authority for Rapid Transportation and the U.S. Federal Transit Administration have prepared a Draft Supplemental Environmental Impact Statement (EIS)/Section 4(f) Evaluation for the Honolulu Rail Transit Project as required by a U.S. District Court Judgment. The document is limited to Section 4(f) evaluations of the Beretania Street Tunnel Alternative and Mother Waldron Neighborhood Park."

Aloha Mr. Ted Matley and Daniel Grabauskas:

As you process this SEIS, I hope you'll uphold the obligation (kuleana) to carefully review the irreparable ramifications that this highly controversial project has on our island home of only 597 square miles.

I'm sorry I did not know about this SEIS till late. Here are some of my comments and questions. This SEIS is highly technical and requires a tremendous amount of reading. This put the general public at a great disadvantage.

The Honolulu Rail will negatively alter the social, cultural, physical, and economic complexion of our island home forever. Oahu's sense of place, culture, and tranquility will be greatly diminished. Just the noises of the steel on steel itself will negatively create inappropriate urbanization impacts to our island home.

Civil Beat, a local independent news media, reported "In 1960, 93 percent of Hawaii's registered voters in the general election. In 2010, only about 56 percent of registered voters bothered to show up on Election Day.

What's happened?

Hawaii has one of the lowest voter turnout rates in the country. In the past few elections, only about 40 percent of the state's registered voters have participated in the primary election. And that's only about 36 percent of all the people in Hawaii who are eligible to vote, registered or not."

In other words, the public confidence in good governance is tanking.

Why?

The Honolulu Rapid Transit's marketing slogan has always been the majority of Oahu wants the Honolulu Rail. However, based on the above election turnout history, it is hardly a majority endorsement of this project among the 900,000.00 plus residents in Oahu.

Before I go on, I wish to tell you of a month-long experiment that I did before the mayoral election. Wherever I went, I asked strangers what they thought of the rail. I asked waitresses, workers at Home Depot,

Jam-1

Jam-1

The FTA and HART appreciate the commenter's interest in the Honolulu Rail Transit Project. Please see Common Response 11 in Section 5.2.4 of the Final Supplemental Environmental Impact Statement/Section 4(f) Evaluation [EIS/4(f)] regarding comments outside of the scope of the Supplemental EIS/ 4(f). Please see Common Responses 1 and 2 in Section 5.2.4 of the Final Supplemental EIS/4(f) regarding other alternatives.

Lowes, Zippys, school teachers and so forth. The constant 85% had always replied the rail is too expensive and that it doesn't belong. Yet, this rail is plowing on. I cannot bridge this chasm.
 Do you think this project was based more on the political prowess of interest-based establishments rather than a truly viable solution for decongestion for our island home?
 Why has the rail route eliminated the two very busy traffic hub – University of Hawaii and the Honolulu International Airport? Note: "The Federal Transit Administration is the lead federal agency and the Honolulu Authority for Rapid Transportation is the project sponsor for the 20-mile rail transit project that extends from Kapolei to Ala Moana Center, via the Honolulu waterfront." (May 2013 SEIS page 5.)

Jam-1
 (cont.)

I have personally heard you testify before City Council Budget Chair Ann Kobayashi's hearings that it would cost the city \$9.02 BILLION if we want to connect UH and the Airport.

Are you worried about the unforeseen circumstances and cost-overruns along the entire route, including the Mother Waldron's area and phase?

Are you a 100% sure that taxpayers' funds are prudently and carefully expended?

Getting back on track, the elimination of these two significant hubs raises the following questions:

Is this Honolulu Rail, that does not connect to the University of Hawaii campus and the Honolulu International Airport, a traffic decongestion project or is it a Transit-Oriented Development project?

The reason I ask this question is because the rail is starting out in the vacant agricultural tract in West Oahu and does not connect the busy hubs of University of Hawaii and the Honolulu International Airport. In the April 2012 newsletter by HART, it advertised Community-based Transit-Oriented Development Plans: One of the most exciting aspects of the Honolulu rail transit project is the opportunity it provides for residents to become involved in the revitalization of their neighborhoods around transit stations.

In the Kalihi and Downtown Transit-Oriented Development (TOD) plans, it promotes a revitalized and vibrant and so forth. "

The May 2013 SEIS also referenced to future land-use developments adjacent to the Mother Waldron Neighborhood Park areas. This would mean along this particular junction as well as within the ½ mile radius of each station. This means the entire 21square miles corridor. (pg 82) Needless to say, the first phase of the Honolulu Rail development in the middle of undeveloped agricultural lands can only mean one thing – this is a TOD development, not a traffic congestion project.

Am I correct in this conclusion that this rail is more about real estate development than traffic decongestion?
 Furthermore, I'm very concerned about the ramifications that Transit Oriented Development (TOD) has on this island's private property rights. The handwriting is on the wall that small mom and pop enterprises would be the casualties in this TOD scheme. (Refer to SEIS page 82. Figure 33 Existing and Simulated Future Land Use adjacent to Mother Waldron Neighborhood Park as an example.)

Isn't it obvious to you that the city will not sentence big corporate owners like the Ala Moana shopping center or the major hotels to eminent domain abuse?

Isn't it obvious that the smaller private owners will be very vulnerable to the city's use of eminent domain powers under the guise of revitalization and public use?

Can the federal government and city county and state assure the public along the entire TOD's 21-mile square mile, including the Mother Waldron phase area, that small private property owners will not be

Jam-2

Jam-2

Please see Common Response 11 in Section 5.2.4 of the Final Supplemental Environmental Impact Statement/Section 4(f) Evaluation [EIS/4(f)] regarding comments outside of the scope of the Supplemental EIS/ 4(f), including comments on project limits, which were addressed in the Final EIS/4(f) issued in June 2010. The Project includes a station at Honolulu International Airport. Please see Common Response 2 in Section 5.2.4 of the Final Supplemental EIS/4(f) regarding extension to UH Mānoa.

Jam-3

Jam-3

Please see Common Response 8 in Section 5.2.4 of the Final Supplemental EIS/4(f).

persecuted by eminent domain abuse?

The following article will briefly describes the substantive and over-arching impacts of the entire Honolulu Rapid Transit 21 square mile corridor including the Mother Waldron phase area will have on Oahu's private property owners.

<http://www.civilbeat.com/voices/2012/11/03/17545-rails-transit-oriented-development-an-assault-on-private-property/>

Rail's Transit-Oriented Development An Assault on Private Property
By Choon James 11/03/2012

How would you react if a stranger enters your home; goes into your bedroom and sleeps in your bed — without your permission? The natural reaction would be one of disbelief and outright objection, right?

We would consider this intrusion an invasion of our privacy and space. We would dial 911 to get the intruder off our property.

Yet, we see no similar reactions towards the Honolulu city's proposed Transit-oriented developments (TOD); we detect no deference to or respect for private property rights. The city's planners and facilitators have successfully drowned this constitutional right in their public presentations.

On the other hand, the amount of giddy excitement and coveting of private properties (that the government does not own) for this Honolulu Rail's Transit-oriented development (TOD) is very alarming.

http://www.youtube.com/watch?feature=player_embedded&v=sLSzpi0ytSY

We live in a Democracy; we are not China or Russia.

Private property rights is an integral part of free enterprise. We must not allow crony capitalism to stomp private property owners. Government and its cronies must not be allowed to plan as they unilaterally please.

<http://www.youtube.com/watch?v=SmM4ZBoppNQ>
At each of the proposed 21 rail stations, the city wants TODs "within half a mile radius" vicinity. The proposed rail stations are located at every mile; this means the whole land area along the entire 21-mile rail corridor is up for grabs. "Half a mile radius" sounds so harmless!

To covet and seize an additional 20 square miles area along this rail corridor on our small island pose a huge economical, social and cultural impact!

It's not as if private owners can easily relocate down the road. Family inheritances, investments, and businesses built with sweat, equity, and sacrifices will be placed under the mercy of absolute powers of eminent domain. Kama'aina owners and businesses will be pushed out to pave the way for national and international investors.

<http://www.youtube.com/watch?v=i67hlaAe6hs>

Have we forgotten about Kelo vs. New London, the most despised eminent domain case in recent history

http://en.wikipedia.org/wiki/Kelo_v._City_of_New_London The Fort Trumbull community had 117 private properties. The City of New London supposedly had carefully crafted a revitalization plan to spur new jobs and increase tax revenue.

To push this "revitalization" plan forward, New London City abused its eminent domain powers to seize private properties to transfer to its private partner. <http://www.youtube.com/watch?v=4N1svadJQ40>

As it turned out, the city's private partner - Pfizer corporation - failed to deliver needed funds and abandoned the much-heralded project. The Pfizer corporation also left town.

The city and state spent \$78 Million for the acquisition and bulldozing the Fort Trumbull neighborhood. The promised 3,169 new jobs and \$1.2 million a year in tax revenues evaporated.

The municipal experts' Revitalization Plan, the basis for the ill Supreme Court's June 23, 2005 decision in deference to legislators, proved to be

an elusive concept and not reality.
In early 2012, its newly-elected Mayor of New London extended an apology to the Fort Trumbull victims . . . what good did that do?
The priceless toll on the victims could never be compensated; lives were uprooted and constitution rights subverted while the bureaucratic and political perpetrators walked away scot-free.
<http://caselaw.lp.findlaw.com/scripts/getcase.pl?court=us&vol=000&invol=04-108>

Here in Hawaii, we observe a similar "revitalization" process has been set in motion. City "experts" are holding "Community Visioning" meetings to discuss "Neighborhood TOD Planning".
http://www.youtube.com/watch?feature=player_embedded&v=sL.Szpi0ytSY

The city wants to "take advantage of rail to its optimal level" and to "concentrate population" along this rail corridor.
<http://dev.honoluluodpp.org/Planning/NeighborhoodTODPlans.aspx>
The "experts" presented beautiful artistic renderings at these meetings but we've yet to hear the sounds of the Rail along the Honolulu High-Capacity Transit Corridor. Who will live along the noisy railroad tracks?
<http://youtu.be/abzMGHe3Pc0>

(The push to steer the low-income population along the noisy rail corridor is "segregation déjà vu" and not social equity.)
The dangerous potential for the city to seize 21 square miles of private properties for transfer to private investors has to be reckoned with, today. The proposed Honolulu Rail is not only ugly, noisy, and a black hole for Oahu's taxpayers; its accompanied TOD is a direct assault on private property rights. <http://www.youtube.com/watch?v=V4ezw1Hbf6Y>
No Oahu residents should sit idly by and condone such autocratic land-use plans for our island home. It is wrong. It's dangerous. It's unAmerican. It goes against the core tenets of our free society.
City planning and developments must conform within the constitutional parameters of private property rights. This should have been a big part of the public deliberations. Any "exemption" laws to skirt this right must be rejected. Too many big decisions have been manipulated and controlled by raw crony capitalism and special interests. Private property owners continue to be trampled on and pushed aside by the big boys.
We must take our government back.

About the author:

Choon James has been a real estate broker for over 20 years. She is a member of the Ko'olauloa Sustainable Communities Planning Committee and hosts "Country Talk Story", a weekly community television show on Saturdays at 5:00 pm on Channel 55."

~ ~ ~
I believe that the above issues of displacement, eminent domain abuse of taking a private property to give to another bigger private corporation or investors have not been addressed despite its substantive impacts on Oahu.

Question: Do you think the most prudent decision would be to not go forward with this highly controversial steel on steel rail system at all in our small island home?

(SEIS Page 59) 3.5 Evaluation of Prudence
23 CFR 774 defines a feasible and prudent avoidance alternative as an alternative that avoids using Section 4(f) property and does not cause other severe problems of a magnitude that substantially outweighs the importance of protecting Section 4(f) properties [see Section 1.2.1 of this Draft Supplemental
EIS/4(f)]. An alternative is not prudent if:

- It compromises the project to a degree that it is unreasonable to proceed with the project in light of its stated purpose and need;

Jam - 4

Jam-4

The No Build Alternative was evaluated in the Final EIS/4(f). Please see Common Response 11 in Section 5.2.4 of the Final Supplemental Environmental Impact Statement/Section 4(f) Evaluation [EIS/4(f)] regarding comments outside of the scope of the Supplemental EIS/ 4(f).

- It results in unacceptable safety or operational problems;
- After reasonable mitigation, it still causes:
 - Severe social, economic, or environmental impacts;
 - Severe disruption to established communities;
 - Severe disproportionate impacts to minority or low income populations; or
 - Severe impacts to environmental resources protected under other Federal statutes;
- It results in additional construction, maintenance, or operational costs of an extraordinary magnitude;
- It causes other unique problems or unusual factors; or
- It involves multiple factors in [the paragraphs above], that while individually minor, cumulatively cause unique problems or impacts of extraordinary magnitude. (SEIS Page 59)

Can you please relate the above Page 59 excerpt to the following quote: There has only been one U.S. elevated heavy rail line built since 1984 and that was the Tren Urbano in San Juan, Puerto Rico. Its cost overrun was 74 percent higher than the amount settled at the time of the Full Funding Grant Agreement. Its ridership was just as bad, it achieved only 23 percent of what it had projected. Even worse is its subsequent performance: In 2003, the last full year before rail, San Juan had bus ridership of 32.0 million. In 2010 the combined ridership of its buses and its multi-billion dollar rail line was 21.8 million, a 32 percent decline from 2003 from its bus ridership alone. (Hawaii Free Press, July 11, 2012)

Can you objectively explain what is more prudent? To force stressed out taxpayers and financially-strapped county/ federal government to fall deeper into the money black hole or to stop this steel on steel and come up with better alternatives, free from political, commercial and specific interests pressure?
 Can you explain why TOD, including the Mother Waldron Neighborhood phase area would not severely disrupt established communities?
 Where would all these small mom and pop private property owners and businesses re-locate to? Remember Oahu is an island of only about 597 square miles.
 Can you explain why TOD, including the Mother Waldron/Beretania Neighborhood phase would not create "Severe disproportionate impacts to minority or low income populations"?

Is it true that HART's intent is to concentrate affordable housing along the Honolulu rail corridor?

Isn't this segregation deva ju as mentioned in my article? The poor gets to live along the noisy rail corridor while the affluent lives as far away as they get can from the noise and grime.

How could the rail be provide true "equity" when many low-income are engaged in trade/labor services where a truck and set of tools or merchandize are essentials that cannot be transported on the Honolulu Rail?

Jam-5

Jam-5

The Final EIS/4(f) evaluated project costs in Chapter 6, displacements in Section 4.4, and impacts of the project to minority and low income populations in Section 4.7.

Aren't the severe social, economic, cultural or environmental impacts of the rail route, including the Mother Waldron phase route , on our island home obvious by now?

There is too much irregularities and unanswered questions. The Honolulu Rail Project needs to be scrapped before it creates more irreparable damage to the happiness of long-term residents and unique charm of this island.

Special interest groups will come and go but many kama'aina and their families will remain for generations.

Let's not destroy this beautiful island's sense of place, sense of culture, and sense of what Hawaii is about.

We're not Fruitvale California or New York City. This Honolulu Rail decision-making has not taken these basic attributes of Oahu into consideration.

Sadly, this controversial rail project has been hijacked by the full forces of special labor groups, for-profit corporations, and its political cronies.

Please do it right in the best long-term interest of our special island home. We will all win.

The future will bless us for pono decision-making or curse those who put self-interests before public good.

Mahalo,

Choon James
Kahuku, Hawaii 96731

Reply Requested :

Record Date : 7/22/2013
First Name : Choon
Last Name : James
Business/Organization :
Address :
Apt./Suite No. :
City :
State :
Zip Code :
Email :
Telephone :
Add to Mailing List :

Submission :

Submitted online on <http://www.pbcommentsense.com/hct/seis.aspx>

July 21, 2013

Mr. Ted Matley,
FTA Region IX,
201 Mission Street, Suite 1650,
San Francisco, CA 94105,

Mr. Daniel A. Grabauskas,
Honolulu Authority for Rapid Transportation,
City and County of Honolulu,
1099 Alakea Street, Suite 1700
Honolulu, HI 96813

Draft Supplemental EIS for Honolulu Rail Transit Project (formerly the Honolulu High-Capacity Transit Corridor Project)
"The Honolulu Rail Transit Project is a 20-mile elevated rail line that will connect West Oahu with downtown Honolulu and Ala Moana Center. The Honolulu Authority for Rapid Transportation and the U.S. Federal Transit Administration have prepared a Draft Supplemental Environmental Impact Statement (EIS)/Section 4(f) Evaluation for the Honolulu Rail Transit Project as required by a U.S. District Court Judgment. The document is limited to Section 4(f) evaluations of the Beretania Street Tunnel Alternative and Mother Waldron Neighborhood Park."

Aloha Gentlemen:

This is a compilation of comments amongst neighbors who do not have access to computers.

As you process this SEIS, I hope you'll uphold the obligation (kuleana) to carefully review the irreparable ramifications that this highly controversial project has on our island home of only 597 square miles.

Do you think this project seriously and fairly considered the merits, suggestions, and other alternatives of educated concerned citizens? Oahu residents who oppose this project include ex-Governor Ben Cayetano, former Judge Walter Heen, businessman Cliff Slater, and law Professor Randall Roth who were forced to file a lawsuit against the city of Honolulu. Others opposing include current federal judges, engineers, city council members, architects, professors, students, attorneys, tourists, Hawaiian civic and cultural groups, environmental groups, and thousands of concerned citizens and so forth.

Why do you think such over-arching and diverse entities are so concerned about this particular steel on steel system in our island home?

On the other hand, prominent groups supporting and bankrolling the pro-rail campaign are prevalently organized labor groups like Pacific Resource Partnership. Profit-based corporations like First Hawaiian Bank are also involved with Mr. Don Horner, former First Hawaiian CEO, as a founding member of the Honolulu Authority for Rapid Transit (HART.)

Do you think there should be more careful analysis of the special-interest groups' motives versus the public interests in this project?

Do you think citizen-based opposition groups were given equal standing by the city/state/federal Transportation Directors and their hired experts/consultants throughout the decision-making process? Should this Honolulu Rail Project's decision-making be based on who has more resources to win in the political and social media warfare?

Jam1-1

Please see Common Response 11 in Section 5.2.4 of the Final Supplemental Environmental Impact Statement/Section 4(f) Evaluation [EIS/4(f)] regarding comments outside of the scope of the Supplemental EIS/ 4(f). The Honolulu High-Capacity Transit Corridor Project Final Environmental Impact Statement/Section 4(f) Evaluation [EIS/4(f)] issued in June 2010 addressed alternatives to the Project and responds to comments by every citizen and organization that submitted comments. The public outreach for this Supplemental EIS/4(f) is summarized in Chapter 5.

FTA and HART issued the Draft Supplemental EIS/4(f) for public review and comment on May 31, 2013, and notice of availability appeared in the Federal Register on June 7, 2103. HART held a public and agency Supplemental EIS/4(f) hearing on July 9, 2013, and the comment period ended on July 22, 2013. Section 5 of the Final Supplemental EIS/4(f) includes a summary of comments received on the Draft Supplemental EIS/4(f) and revisions made in the Final Supplemental EIS/4(f) to address the comments. Responses also are provided to comments received on the Draft Supplemental EIS/4(f) in Appendix A.

Jam1-1

These concerns stated below must be addressed here as these concerns are integral and substantive parts of this particular SEIS process.

QUOTE:

"Secretary of Transportation Ray LaHood was misled or is part of the Honolulu Rail Transit Project problem. He stated in April 2012 - Honolulu On the Move April 2012, The Honolulu Rail Transit Project Newsletter - that "the Obama Administration's support for the Honolulu rail transit remains strong."

Jam1-2 Please see Common Response 2 in Section 5.2.4 of the Final Supplemental EIS/4(f) regarding extension to UH Mānoa. The Project includes a station at Honolulu International Airport.

He went on to reveal his lack of knowledge: "I want you to know that we are committed to this project. This is an important project. This will deliver people ALL OVER THE ISLAND. It's an important project and at this point, we will continue to work through whatever issues need to be worked through. We're committed to this. We're committed to the money; we're committed to the project."

Jam1-2

No, Mr. LaHood, the rail is NOT ALL OVER THE ISLAND. Mr. Ray LaHood needs to understand that the Honolulu rail starts in the middle of an empty fertile agricultural tract in Ewa. This 20-mile rail starts from nowhere to nowhere. It is not connected to the University of Hawaii or the Honolulu International Airport."

Mr. LaHood's official press releases that the "rail will deliver people all over the island" is a big deal because we know these words are carefully chosen. This is a very substantial misinformation. Can you please investigate this history and let us know what routes and estimated costs were presented to the Federal government? Can you also investigate and provide your responses towards the recent content against the project made by Hawaii's Chief Federal Judge Mollway, including comments about this rail not connecting to the University of Hawaii and the Honolulu International Airport?

Jam1-3 Please see the responses to comments by Judge Mollway.

Will her substantive comments have any standing in this SEIS or will her comments be glossed over?

Jam1-3

If Judge Mollway's comments are going to be magically "mitigated" or glossed over, what further standing would average citizens like us have in this SEIS?

Along this line, if other professional and experienced experts' opinions (other than the city bureaucrats and its own hired hands) will not be taken into account and implemented in this SEIS, what good is this SEIS procedure?

Experts and professionals in no way diminish the public participation of ordinary people as Hawaii's EIS process wisely include the broad and inclusion spectrum of the whole public.

The nucleus of the Hawaii Environment Impact Statement (EIS) Review specifically requires public participation: §343-1 Findings and purpose.

Jam1-4 Hawaii's state requirements were addressed in the June 2010 Final EIS/4(f). Public involvement completed on the Draft Supplemental EIS/ 4(f) is described in Section 5 of the Final Supplemental EIS/ 4(f). See response Jam1-1 regarding public involvement on the Draft Supplemental EIS/ 4(f).

Jam1-4

The legislature finds that the quality of humanity's environment is critical to humanity's well being, that humanity's activities have broad and profound effects upon the interrelations of all components of the environment, and that an environmental review process will integrate the review of environmental concerns with existing planning processes of the State and counties and alert decision makers to significant environmental effects which may result from the implementation of certain actions. The legislature further finds that the process of reviewing environmental effects is desirable because environmental consciousness is enhanced,

cooperation and coordination are encouraged, and public participation during the review process benefits all parties involved and society as a whole.

It is the purpose of this chapter to establish a system of environmental review which will ensure that environmental concerns are given appropriate consideration in decision making along with economic and technical considerations. [L 1979, c 197, §1(1); am L 1983, c 140, §4]

Again, will citizens be heard or is this just a check list where only the city's hired "experts" will control its pre-selected outcome?

QUOTE:

"The fraud begins at inception. First, the city of Honolulu hired Parsons Brinckerhoff executive Wayne Yoshioka to be the City Transportation Director. Then it contracted with Parsons Brinckerhoff to plan the rail line. It then contracted with InfraConsult LLC to watch over PB. (Three senior PB officials had formed InfraConsult prior to its contract with the City). To run HART, the semi-autonomous transit authority, politicians appointed nine directors, not one of whom had any familiarity with transit whatsoever. Lack of it seemed to be a requirement for appointment."

Do you think the above paragraphs present a damning history of conflict of interest in this highly controversial project? Will you investigate this foundational weakness in the decision-making of this Honolulu Rail Project? Regarding the comments above, do you feel the citizens of Oahu have been fully protected in the decision-making process of this Honolulu Rail?

Jam1-5

Please see Common Response 11 in Section 5.2.4 of the Final Supplemental EIS/4(f) regarding comments outside of the scope of the Supplemental EIS/ 4(f). The Final EIS addressed issues relating to Project design and construction.

QUOTE:

"Some months ago HART awarded Ansaldo STS/Breda a core systems contract which includes the design, construction and delivery of the train vehicles, the train control systems and the operation and maintenance of the rail system after installation. HART chose Ansaldo despite their not being the low bidder."

Jam1 -5

Can you please investigate the reason for this decision? This is a substantial part of the SEIS because the 20-mile rail cannot be segmented in its control systems, operation and maintenance. What is the financial health of Ansaldo today?

A primary marketing tool of the Honolulu Rail was that it would provide jobs for locals. How many jobs have Ansaldo provided for Hawaii's local contractors in this 20-mile project? How many local jobs will be provided for the Section 4(f) evaluation of the Beretania Street Tunnel Alternative and Mother Waldron Neighborhood Park?

QUOTE:

Billions of dollars were awarded in contracts to top campaign contributors by Mayor Mufi Hannemann and his political cronies. <http://www.OpenSecrets.org> 7/12/12 and The Honolulu Advertiser 3/7/10. Some Honolulu City Council members also asked for audit and found irregularities - <http://www.khon2.com/news/local/story/HART-public-relations-spending-questioned-by-City/JlGaN9yqCkuci0CEX86qZQ.aspx>

Have you investigated the above-mentioned activities in conjunction with this Section 4(f) evaluation of the Beretania Street Tunnel Alternative and Mother Waldron Neighborhood Park ?
Did these irregularities affect the decision-making of this project, including this particular SEIS phase area?
Should this be re-considered as part of this SEIS process?

QUOTE:

<http://www.civilbeat.com/articles/2011/09/08/12788-civil-beat-catches-rail-leaders-trying-to-go-deep-undercover-in-washington/> There is no transparent and open process. Citizens are forced to sue its government. The City's strategy is to waste as much money as possible and hope for Judge Tashima to defer to the foxes which guard the hen house.

Carrie Okinaga , HART Chair (former City Corporation Counsel appointed by Mayor Mufi Hannemann):" The public expression of the lawsuit has always been that we didn't study it adequately or sufficiently. That's not the legal standard. When your government has spent \$300 million studying something, you're praying that there's some deference that a court will give to this multi-jurisdictional, multi-year, \$300 million effort."

Have you read the above comments?
Should the city county's modus operandi be a concern to taxpayers and you as decision-makers at this SEIS?

Can the public be assured that you are not spending millions of dollars just to get a "standing" in this process?
What happens if the funding runs out before or after the Beretania Street Tunnel Alternative and Mother Waldron Neighborhood Park or other alternative phase?

Will the city raise property taxes and other fees to compensate for funds shortage?

QUOTE:

Before the eminent Hawaii Supreme Court's decision, Honolulu awarded \$75M in rail design contracts before work stopped.

The City and County of Honolulu awarded \$75 million in design and professional services contracts for the its rail transit project in the two months before the Hawaii Supreme Court's ruling that led the city to temporarily halt construction on the project this week.

The Honolulu Star-Advertiser reports the contracts awarded in June and July include a \$43.94 million agreement to design the "City Center" section of the rail guideway that went to Los Angeles-based AECOM Technical Services Inc., which was also awarded a \$10 million contract for architectural and engineering services for the state Department of Transportation.

The newspaper reports the other contracts included \$12 million to Honolulu-based SSFM International Inc. to provide architectural and engineering services for the state Department of Transportation, \$7.8 million to San Francisco-based URS Corp. to design rail stations in East Kapolei, at the new University of Hawaii West Oahu campus and the station at D.R. Horton's planned Hoopili subdivision in Ewa.

The Star-Advertiser reports a spokesman for the Honolulu Authority for Rapid Transportation said design work will continue, although the agency's board of directors is scheduled to review that decision when it meets on Thursday.

Source:

http://www.bizjournals.com/pacific/blog/morning_call/2012/08/honolulu-awarded-75m-in-rail-design.html

Jam1-6

Jam1-6

As described in Section 3.5.4 of the Final Supplemental EIS/4(f), the Beretania Street Tunnel Alternative could not be built within available funding for the Honolulu Rail Transit Project. The financial plan includes funds and contingency to construct the Project, including the City Center section, which would be near Mother Waldron Neighborhood Park.

QUOTE:

There has only been one U.S. elevated heavy rail line built since 1984 and that was the Tren Urbano in San Juan, Puerto Rico. Its cost overrun was 74 percent higher than the amount settled at the time of the Full Funding Grant Agreement. Its ridership was just as bad, it achieved only 23 percent of what it had projected. Even worse is its subsequent performance: In 2003, the last full year before rail, San Juan had bus ridership of 32.0 million. In 2010 the combined ridership of its buses and its multi-billion dollar rail line was 21.8 million, a 32 percent decline from 2003 from its bus ridership alone. (Hawaii Free Press, July 11, 2012)

What is your response to this elevated heavy rail information? If you insist on plowing this controversial rail through no matter what, wouldn't it make more logical sense to seriously implement the Beretania Street Tunnel Alternative as explained in Chief District Judge Susan Oki Mollway's letter? <http://www.scribd.com/doc/153264607/Judge-Susan-Oki-Mollway-s-letter-to-HART-and-federal-transit-officials>
In Singapore, there is even underground shopping center tunnel.

Jam1-7

Jam1-7

Please see Common Response 6, which explains the overall comparison between the Project and the Beretania Tunnel Alternative.

It's possible but your May 2013 SEIS makes it clear you are against the Beretania Street Tunnel Alternative. You even went to the extent of showing a big bold picture of a boring machine :=)

Mahalo!

Choon James on behalf of neighbors.

E

Reply Requested :

Record Date : 7/22/2013
First Name : Choon
Last Name : James
Business/Organization :
Address :
Apt./Suite No. :
City :
State :
Zip Code :
Email :
Telephone :
Add to Mailing List :

Submission :

Submitted online on <http://www.pbcommentsense.com/hct/seis.aspx>

July 21, 2013

Mr. Ted Matley,
FTA Region IX,
201 Mission Street, Suite 1650,
San Francisco, CA 94105,

Mr. Daniel A. Grabauskas,
Honolulu Authority for Rapid Transportation,
City and County of Honolulu,
1099 Alakea Street, Suite 1700
Honolulu, HI 96813

Draft Supplemental EIS for Honolulu Rail Transit Project (formerly the Honolulu High-Capacity Transit Corridor Project)
"The Honolulu Rail Transit Project is a 20-mile elevated rail line that will connect West Oahu with downtown Honolulu and Ala Moana Center. The Honolulu Authority for Rapid Transportation and the U.S. Federal Transit Administration have prepared a Draft Supplemental Environmental Impact Statement (EIS)/Section 4(f) Evaluation for the Honolulu Rail Transit Project as required by a U.S. District Court Judgment. The document is limited to Section 4(f) evaluations of the Beretania Street Tunnel Alternative and Mother Waldron Neighborhood Park."

Aloha Mr. Ted Matley and Daniel Grabauskas:

Your May 2013 SEIS states (SEIS Page 59) 3.5 Evaluation of Prudence 23 CFR 774 defines a feasible and prudent avoidance alternative as an alternative that avoids using Section 4(f) property and does not cause other severe problems of a magnitude that substantially outweighs the importance of protecting Section 4(f) properties [see Section 1.2.1 of this Draft Supplemental EIS/4(f)]. An alternative is not prudent if:

- It compromises the project to a degree that it is unreasonable to proceed with the project in light of its stated purpose and need;
- It results in unacceptable safety or operational problems;
- After reasonable mitigation, it still causes:
 - Severe social, economic, or environmental impacts;
 - Severe disruption to established communities;
 - Severe disproportionate impacts to minority or low income populations; or
 - Severe impacts to environmental resources protected under other Federal statutes;
- It results in additional construction, maintenance, or operational costs of an extraordinary magnitude;
- It causes other unique problems or unusual factors; or
- It involves multiple factors in [the paragraphs above], that while individually minor, cumulatively cause unique problems or impacts of extraordinary magnitude. (SEIS Page 59)

Can you please review the article below and the prudence factors above in relation to your SEIS process?

Can you see how disenchanting the public is with this Honolulu Rail?

The four gentlemen below brought up a very disconcerting point again regarding public engagement versus special interests.

The fact that Oahu has a one-newspaper town does not serve democracy well.

Will you bend backwards to listen to the public comments?

Will you work with the public and incorporate their ideas and insights?

Or will you play semantics games and go your merry way?

<http://www.hawaiireporter.com/star-advertiser-coverage-of-rail-is-fundamentally-dishonest/123>

Star-Advertiser Coverage of Rail is Fundamentally Dishonest
By Walter Heen, Ben Cayetano, Cliff Slater and Randall Roth
[The following commentary was submitted to the Star-Advertiser on July 17, 2013, and rejected by the Star-Advertiser on July 17, 2013.]
Star-Advertiser news coverage attributed solely to Chief Judge Susan Mollway the contents of a letter that Mollway wrote on behalf of all 11 members of the U.S. District Court for the District of Hawaii. ("Judge blasts city for ending rail route at Ala Moana, not UH," July 11, 2013)
A subsequent Star-Advertiser editorial repeated that error and downplayed the letter's significance by describing it as "no surprise."
The editorial also judged the letter's criticism of the current rail project to be "impractical," and declared the elevated heavy rail plan is "solid."
("Rail tunnel isn't worth the cost," July 15, 2013)
We feel compelled to set the record straight.

First, it matters that Chief Judge Mollway wrote the letter on behalf of the entire court. Never before has an entire federal district court, here or elsewhere, made such a strong public statement about issues currently being litigated. Lawyers here and on the mainland have called it a "jaw-dropping" event.
Second, while none of the judges in question is officially involved in the federal rail lawsuit, all of them are people who have been entrusted to resolve legal controversies. They know the law and are widely regarded for their judgment.

Third, the Star-Advertiser's description of this letter as a mere "echo" of prior statements from this court ignores a dramatic difference. The earlier letters focused exclusively on the security threat of trains running only a few feet from the federal courthouse. What makes the recent letter "jaw-dropping," is that it only mentions the security issue once, and that is in a footnote. The body of the letter says nothing about the security issue.

Fourth, the Star-Advertiser missed completely the significance of the judges' description of the current rail project as "neither prudent nor feasible." These particular words are at the core of our federal lawsuit that is now in front of the Ninth Circuit Court of Appeals. Federal judges do not casually use the operative words of the controlling statute when making a public statement.

Fifth, the arguments used to support the judges' bottom-line opinion are extremely well constructed and expressed. One small but fun example is the masterful use of an exclamation mark at this end of rock-solid reasoning:

Jam2-1

Please see Common Response 11 in Section 5.2.4 of the Final Supplemental Environmental Impact Statement/Section 4(f) Evaluation [EIS/4(f)] regarding comments outside of the scope of the Supplemental EIS/ 4(f). Public involvement completed on the Draft Supplemental EIS/ 4(f) is described in Section 5 of the Final Supplemental EIS/ 4(f).

Jam2 - 1

Jam2 - 2

Jam2-2

Please see the responses to Judge Mollway's comments. Prudence, feasibility, and the evaluation of the least overall harm are addressed in Sections 3.4 through 3.7 of the Draft Supplemental FEIS/4(f).

Jam2 - 3

Jam2-3

Please see Common Response 2 in Section 5.2.4 of the Final Supplemental EIS/4(f) regarding extension to UH Mānoa.

"Remarkably, the Project's proposed rail route fails to run along 'the highly congested east-west transportation corridor between Kapolei and UH Manoa,' the very corridor expressly identified as the route the Project is intended to serve. The Project's proposed rail route does not go anywhere near the UH Manoa campus. Instead, it goes to the Ala Moana Shopping Center!"

Sixth, the Star-Advertiser failed the "laugh out loud" test when it defended the Ala Moana Shopping Center as the terminating station because that decision had been "vetted via community hearings and ... improved the rail route."

Sixth, the Star-Advertiser failed the "laugh out loud" test when it defended the Ala Moana Shopping Center as the terminating station because that decision had been "vetted via community hearings and ... improved the rail route."

Seventh, the Star-Advertiser editorial betrays its bias by continuing to mention an extension of elevated rail to UH Manoa as a possibility, without noting the judges' skepticism on this point: "given the economy, sequestration, the loss of Senator Inouye's influence, and other intervening factors, it is realistic to question whether the extension to UH Manoa will ever be built."

Eighth, the Star-Advertiser described the \$960 million added cost of the Beretania tunnel as "overly expensive," but failed to mention that it would cost more than \$9 billion to build an elevated rail route that starts in Kapolei and ends at UH Manoa (according to HART's Dan Grabauskas).

Ninth, the Star-Advertiser also fails to mention the irony of terminating a traffic-congestion relief project at a shopping center that does not open until rush hour has ended.

Finally, the judges' letter helps the public see that the original plan to alleviate traffic congestion has morphed into an excuse to use eminent domain to clear the way for transit-oriented development. That change delights big landowners and developers, along with the politicians they finance, who evidently expect taxpayers to pick up the tab.

We respect the Star-Advertiser's right to express its views on the editorial page, but we respectfully suggest that it cannot retain the trust of its readers if it continues to distort key facts and the opinions of others, as it recently did.

Walter Heen is a former state and federal judge, Ben Cayetano is former governor of Hawaii (D-1994-2002), Cliff Slater is founder of Maui Divers, and Randall Roth is a law professor at the University of Hawaii and author.

am2 - 3
(cont.)

Reply Requested :

Record Date : 7/12/2013
First Name : Malia
Last Name : Kaai-Barrett
Business/Organization :
Address :
Apt./Suite No. :
City :
State :
Zip Code :
Email :
Telephone :
Add to Mailing List :

Submission :

Mr. Ted Matley
FTA Region IX, 201
Mission Street, Suite 1650,
San Francisco, CA 94105

Mr. Daniel A. Grabauskas,
Honolulu Authority for Rapid Transportation,
City and County of Honolulu,
1099 Alakea Street, Suite 1700
Honolulu, HI 96813

Dir Sirs and ALL individuals involved in the planning and implementation of this project:

I have been a resident of O'ahu now for almost 25 years and born and raised in Hawaii.

I have been passively watching, reading and following this impending project. However I feel compelled at this time to voice my opinion on this issue.

I am gravely concerned about the huge impact this rail project is going to have on our beloved and beautiful island. I do understand ALL of the issues with regards to traffic, population etc. My concern comes from the route and the proposed approach to the construction project.

My first and greatest concern is the route. Why you continue to ignore the voices that call for the route to go to the Airport and to UH as major destination points is beyond my comprehension! If your aim is to truly help solve some of O'ahu's growing traffic and population management issues then you simply MUST choose the route that will serve the greatest numbers of riders. If your intent is to help get visitors off the roads and to get students to school then limiting the route as it is currently by passing the airport and going to Ala Moana is fool hardy at best and down right abusive of the best interests of the residents of this island.

I further urge you to move the route to the Beretania route away from the Nimitz Highway / Kakaako route... ending at UH Manoa. This route is simply the smartest route to choose because it serves the community better. It is a more direct route for ALL concerned. I am also gravely concerned about the raised rail going down near our water for the horrible visual impact it will have on our most precious resource the beauty of our 'Aina as a visitor destination and our most important economic factor. The Beretania route will not impact the visual beauty of our island due the the high density of high rises and the raised freeway in that area.

I also urge you to implement the Beretania tunnel by-pass. I do appreciate the increased costs, however, given the alternatives of sound and sight impact it is the only choice to make.

My last concern is the sound impact we are going to be tortured by due to the raised nature of the route and the steel on steel technology chosen for this project. I have visited many of our mainland neighbor cities who have installed light rail, steel on steel on ground and the noise factor and ground shaking is significant! To now take that sound and weight and suspend it in the air will only amplify the impact. I do understand that the choice was to "lessen the footprint impact" of the project and to avoid all the of the cultural kupuna iwi issues along the route by limiting the area impacted. But the alternative will be sound pollution which will greatly reduce the quality of life of our island for ALL

- Kaa-1 Please see Common Response 2 in Section 5.2.4 of the Final Supplemental EIS/4(f) regarding extension to UH Mānoa. The Project includes a station at Honolulu International Airport.
- Kaa-2 Visual impacts were addressed in Section 4.8.3 of the Honolulu High-Capacity Transit Corridor Project Final Environmental Impact Statement/Section 4(f) Evaluation issued in June 2010. Please see Common Response 5 in Section 5.2.4 of the Final Supplemental EIS/4(f) regarding the Beretania Street Tunnel Alternative as a prudent and feasible avoidance alternative.
- Kaa-3 Noise impacts were addressed in Section 4.10.3 of the Honolulu High-Capacity Transit Corridor Project Final Environmental Impact Statement/Section 4(f) Evaluation issued in June 2010.

our residents within the rail zone project route and will also be another very negative impact on our visitor's overall experience of our beautiful island.

Cost issues should NOT supercede the potential decline of the quality of life for our residents, or negatively impact our visitor industry experience. The visitor industry is what makes our life in Hawaii comfortable and possible due to the revenue they bring to our island shores. To jeopardize this important constituent group, and to disregard the quality of life of our residents, is blatant abuse of power and a complete disregard for the very constituents you claim to be serving!

I urge you to reconsider your choices! The time to ACT is NOW.

Respectfully,

Malia

Reply Requested :

Record Date : 7/12/2013
First Name : Tasha
Last Name : kauihou
Business/Organization :
Address :
Apt./Suite No. :
City :
State :
Zip Code :
Email :
Telephone :
Add to Mailing List :
Submission :

No Rail!
Really?! This is an Island a small Island! Please preserve the beauty of our 'Aina. You will waste billions of dollars building it. And if it fails and it no one uses it... Then what do you do with the structure? It's nothing like The Boat or the Super Ferry where you can just get rid of the boat. This is a permanent structure that you are wasting our money on and by the time it's built it will be outdated. Not to mention steel on steel! Imagine the noise for the business that are below the rail. Please reconsider. This is no place for rail. This is Hawaii a Paradise. Mahalo

Kau-1

Kau-1

The FTA and HART appreciate the commenter's interest in the Honolulu Rail Transit Project. The Honolulu High-Capacity Transit Corridor Project Final Environmental Impact Statement/Section 4(f) Evaluation issued in June 2010, addressed noise, the choice of technology, and the No Build Alternative.

Reply Requested :

Katherine T. Kupukaa
95-685 Makaunulau Street
Mililani, Hawaii 96789

HART

*13 JUL 22 P4:09

Mr. Daniel A. Grabauskas
Honolulu Authority for Rapid Transportation
City and County of Honolulu
1099 Alakea Street, Suite 1700
Honolulu, HI 96813

The article in the Honolulu Advertiser dated 1/31/07, tentative timeline for 20 miles of rail completion of minimal operable segment year 2017. Construction begins late 2009 and first phase opens late 2012. According to this schedule this project is about 4 years behind schedule. Hopefully this project does not go forward.

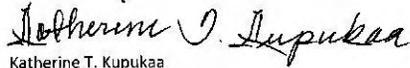
Here are my concerns: As recently as June 2013, HART's plan is still not solid. For example, a change from 2-car train to 4-car train is being contemplated. Also smaller train stations. Whether 2-car train or 4-car train it will never get filled with passengers.

In May 2013, I rode the sky train at JFK in New York City, taking me to station to catch a subway to Manhattan. I rode in a car that was packed, standing room only. The ride to my destination was about 50 minutes.

In the Honolulu Advertiser dated 12/30/08, the article regarding transit-tax take plummets 16%. Lowell Kalapa stated "when collections start falling by more than 10 percent of projections, you're never going to make that up because this is good for only 15 years.

What I am most concern about is the citizens of the City and County of Honolulu will be burdened by this huge cost of this project.

Sincerely,



Katherine T. Kupukaa

Kup-1

The FTA and HART appreciate the commenter's interest in the Honolulu Rail Transit Project. Figure 2 in the Draft Supplemental Environmental Impact Statement/Section 4(f) Evaluation [EIS/4(f)] provides the current Project schedule. Section 3.5.4 of the Draft Supplemental EIS/4(f) discusses the cost of the Project.

Kup-1

Record Date : 7/6/2013

First Name : George

Last Name : Lee

Business/Organization :

Address :

Apt./Suite No. :

City :

State :

Zip Code :

Email :

Telephone :

Add to Mailing List :

Submission : Do you have an idea of when the lawsuit holding up construction will be resolved? LeeG-1

Reply Requested :

LeeG-1

The lawsuit in State of Hawai'i court is independent of this Final Supplemental Environmental Impact Statement/Section 4(f) Evaluation [EIS/4(f)]. As noted in Section 1.1 of the Final Supplemental EIS/4(f), the Supplemental EIS/4(f) was prepared to address the Judgment and Partial Injunction Order of the United States District Court for the District of Hawai'i in HonoluluTraffic.com et al. vs. Federal Transit Administration et al.

HART

Index of DVD Contents:

Aloha,

'13 JUL 23 P2 :40

Enclosed are comments for Michael Lee, Native Hawaiian Cultural Practitioner.

His comments are for the entire rail route TCP's where he has standing. These were also submitted to SHPD in May 22, 2013.

And also for

Kanehili Cultural Hui – a 501-c-3 in Ewa, Oahu.

Our KCH comments are for Honouliuli-Ewa TCP's that we have identified

That are impacted by the HART rail project. These were also submitted to SHPD in May 22, 2013.

In addition, our KCH has submitted comments on the Kakaako rail route and our concerns about Sea Level Rise, Storm Surge, Ground Water Rise, and our suggested alternatives to avoid these expensive construction conditions using alternative methods.

This DVD contains the comments for:

Draft Supplemental EIS for Honolulu Rail Transit Project Available for Public Review

The Honolulu Rail Transit Project is a 20-mile elevated rail line that will connect West Oahu with downtown Honolulu and Ala Moana Center. The Honolulu Authority for Rapid Transportation and the U.S. Federal Transit Administration have prepared a Draft Supplemental Environmental Impact Statement (EIS)/Section 4(f) Evaluation for the Honolulu Rail Transit Project as required by a U.S. District Court Judgment.

Submit written comments to Mr. Ted Matley, FTA Region IX, 201 Mission Street, Suite 1650, San Francisco, CA 94105, and Mr. Daniel A. Grabauskas, Honolulu Authority for Rapid Transportation, City and County of Honolulu, 1099 Alakea Street, Suite 1700 Honolulu, HI 96813

LeeM-1

LeeM-1

Please see Common Response 4 in Section 5.2.4 of the Final Supplemental EIS/4(f) regarding the Traditional Cultural Properties (TCP) Analysis. See Common Response 10 regarding karst formations. The review and response to the TCP comments are summarized below. The AIS review is a separate process, which addressed State of Hawai'i requirements for project review and the requirements in the PA among FTA, the City, the U.S. Navy, the SHPO, and the Advisory Council on Historic Preservation. Information on the Archaeological Inventory Surveys is available on HART's website at www.honolulutransit.org (See Common Response 11).

Specifically regarding comments on karst formations, HART and its contractor completed extensive geotechnical investigations along the alignment in Construction Phase 1. This included geotechnical borings located at every proposed pier, usually 20 feet or more below the proposed pier depth. No karst topography was observed in any of the geotechnical investigations. If "caverns" or "caves" were penetrated, the void would have been discernible during drilling activity and would have been noted on the respective boring logs. A review of the logs has not indicated any "drops" or other notations indicative of a void or cavern being penetrated. Thus, it can be concluded that karst features in the Honouliuli ahupua'a were not encountered.

In addition, all the available preliminary geotechnical information collected during the PE phase of the project's development has been extensively evaluated. This included borings in the downtown area between Nu'uuanu Stream to the west, King Street to the north and Punchbowl Street to the east. There have been some indications of cavities within coral limestone/coralline debris. However, the cavities have been on the order of half to one inch diameter. One cavity up to 3 feet across was noted. These are distinctively different from "karst" associated cavities. All documented cavities were outside of the project alignment.

Additional geotechnical investigations will be completed prior to final design. In the event that these investigations encounter voids or groundwater, contract specifications require that the water table be preserved in place during coring to ensure that hydrology is maintained. This means that a positive flow will be maintained during drilling to ensure that freshwater flow is preserved through the area being drilled.

LeeM-1
(cont.)

Specifically regarding comments on Leina a ka 'uhane, the Section 1-3 TCP study identified several wahi pana that are related to one another through the same story. This is the Leina a ka 'uhane, or Spirit Leaping Off Place (SRIF and Kumu Pono 2012:50-53). According to traditional Hawaiian beliefs, the leaping off place is where the souls of the dead leave this world to enter the next. "A breadfruit tree (Ulu-o-lei-walo) near the Leina a ka 'uhane is used by the soul for this purpose. To reach the next world, the soul, guided by its aumakua (a deified ancestor), must choose one of two branches resulting either descent to Po, the underworld, overseen by the akua Milu, or passage to the 'aumākua world (SRIF and Kumu Pono 2012:50)".

The management summary considers the Leina a ka 'uhane as a single district of several wahi pana that crosses from Moanalua and Halawa ahupua'a to Honouliuli ahupua'a (Figures 2 and 3). Spirits would leap from the five wahi pana in Moanalua and Halawa. If not escorted by an aumakua, spirits would land and wander Kānehili and Kaupe'a on the 'Ewa side. However, there are no stories associated with the area between the two sides of the Leina. More importantly, there is no tangible element or property referent that binds the two areas together.

National Register Bulletin number 38 states "This Bulletin does not address cultural resources that are purely "intangible"—i.e. those that have no property referents—except by exclusion" and "the National Register is not the appropriate vehicle for recognizing cultural values that are purely intangible, nor is there legal authority to address them under 106 unless they are somehow related to a historic property (Parker and King 1998:3)" For these reasons the two sides of the Leina that do retain physical property referents are considered as distinct sites. In this light, the wahi pana associated with the Leina are all outside of the HRTPs APE.

Regarding the Malden Trail and other trails as TCPs, the AIS included a 100% pedestrian survey of the entire project, including locations in Construction Phase 1 proximate to the location of the historic Malden Trails. In addition, HART staff also surveyed the area separately. No evidence of any trails exists in the APE.

Regarding other TCPs, additional areas in Honouliuli, such as Pu'u o Kapolei, Kānehili and Kaupe'a were discussed in public meetings. Pu'u o Kapolei is outside the APE. The locations of Kānehili and Kaupe'a were discussed, which resulted in identifying that the site names were reversed on the report's map, and that their locations should be plotted further makai. The discussion highlighted the difficulty in plotting sites and in potentially conflicting information gathered when studying them. The proper naming has been added to the maps in this report. Moving Kānehili and Kaupe'a further makai moves them further from the HRTP.

July 20, 2013

From:
Michael Lee, Hawaiian Cultural Practitioner
Kanehili Cultural Hui, Ewa, Honouliuli, Oahu

Cover Letter and Addendums as Comments On:
Honolulu Rapid Transit Corridor Project Archeological Inventory Survey
of the 22 mile fixed guide way and stations (phases 1-4)

To:

Mr. Leslie Rogers, Regional Administrator
Federal Transit Administration, Region 9
201 Mission Street, Suite 2210
San Francisco, Ca. 94105-1831

William J. Aila, Jr., Chairperson
Kalanimoku Building
1151 Punchbowl St.
Honolulu, HI 96813

Kiersten Faulkner, Executive Director
Historic Hawai'i Foundation
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Elizabeth Merritt, Attorney
National Trust for Historic Preservation
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Faith Miyamoto, Chief Planner
Honolulu Authority for Rapid Transportation
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Honolulu, Hawaii, 96813

Barbara Gilliland, AICP, Planning Manager
Parsons Brinckerhoff
1099 Alakea Street, Ali'i Place, 17th Floor
Honolulu, HI 96813

Aloha,

Thank you for extending the comment period to May 30th, 2013 and for the requests made to have the entire Honolulu Rapid Transit Corridor Project Archeological Inventory Survey of the 22 mile fixed guide way and stations (phases 1-4) open to public review and comment.

Thank you for allowing me to provide what I believe is important comments and documents that were not included in the preliminary Archeological Inventory Survey that left many voices and important native Hawaiian cultural issues and concerns out.

TCP- The Traditional Cultural Property (TCP) is a very Big Part of my concern. Native Hawaiian TCP isn't just a cultural "place" where we enjoyed some good times and festivals, it is a critical cultural resource for our survival as a native people that lived off natural resources managed under the Konohiki system.

I am a recognized party in the Navy's Section 106 consultation in the lease with the Hunt Development Solar Energy Farm as the Native Hawaiian cultural practitioner of this geographic area within the ahupua'a of Honouliuli, and further under the State of Hawaii Article 12, Section 7 as a Native Hawaiian Cultural Practitioner of my medicinal practice with medicines derived from Ewa shoreline limu varieties fed by the Ewa Karst water system in the Honouliuli ahupua'a. I have further standing in this Honouliuli project site through the Native Hawaiian Burial Council laws as a Cultural Descendant recognized by the State Historic Reservations Division and the Oahu Island Burial Council in a certificate, dated April 10, 2011.

I have standing under Hawaii law protecting Native Hawaiian cultural practitioners and I am recognized in the Hawaii First Circuit Court in cases for the Honouliuli area and in Federal Court as the Hawaiian Cultural Practitioner of sea medicine on the Big Island in Kohala in the Kona Blue v. Kahca Kohala fishery's case in 2011. The HART Rail Project Archeological Inventory Survey is inadequate and has failed to mitigate the pylon and construction impacts on the Ewa Karst water system as documented by City, State and Federal hydrological studies and will require the AIS to be done over again.

As a long time kahunalapa'auokekaiolimu, or Native Hawaiian practitioner of limu medicine, disturbance in the fresh water source and water conditions in these interior wetlands adversely affect my protected cultural limu practice. Fresh water flows through an extensive network of underground interconnected Karst caverns from the mountains to the sea and contains the nutrients that feed the foundation of our eco-system food chain. This is true for the entire South Oahu shoreline which is nearly entirely Karst – ancient coral limestone reef. This is a documented fact and I have supplied numerous documents in the addendum to document this.

I must rely upon vigilant protection of my religious, traditional and customary Native Hawaiian practices and cultural and natural resources or I will lose them forever. As the kahu, or keeper, of the iwi kupuna in this area, as recognized by the Oahu Island Burial Council and State of Hawaii Historic Preservation Division, it is my responsibility to ensure the protection and safety of all the bones and objects within my family's burial complexes in this area.

The Honolulu City Council passed unanimously in 2012 the Ewa Plain Trails resolution giving my cultural practice further standing in Honouliuli by advocating the protection of the 1825 Malden Trails (ancient Hawaiian trails) and Ewa Karst water system which is an ancient limestone reef wetlands water system recognized in the United States under the Federal EPA Clean Water Act. Karst is the ancient limestone reef wetlands water system beneath the Ewa Plains and which also runs along the southern shoreline of Oahu. Much of Honolulu's original history and culture is based upon the Karst water system, Karst burial caves. Kawaiaha'o Church is a graphic example of the ancient Honolulu Karst system, having been built from ancient coral reef and the name symbolizes the Karst spring there. I'olani Palace, the royal barracks and other very old and historic structures in the downtown area are made with Karst coral reef blocks from the shoreline areas.

I am also a Hawaiian astronomer or star priest called Papakilohoku recognized by the Honolulu City Council with an Honorary Certificate which gives me standing concerning the recognized Hawaiian Traditional Cultural Property (TCP) in Honouliuli called the Leina a ka Uhane, a very sacred spiritual leaping place for souls of the deceased returning to their ancient homeland. This major wahi pana (sacred place) was officially recognized by the HART Rail Project AIS in an April 2012 published document as a requirement to identify Ewa Plain Honouliuli TCP's, of which I am also part of that consultation as well.

I am very concerned about the Hawaiian Traditional Cultural Property (TCP) in Honouliuli called the Leina a ka Uhane, a very sacred spiritual leaping place for souls of the deceased returning to their ancient homeland. This major wahi pana (sacred place) was officially recognized as existing by the HART Rail Project AIS in an April 2012 published document as a requirement to identify Honouliuli-Ewa TCPs. This TCP is clearly within the ancient area known as Kanehili, which includes Kaupē'a, and also overlaps most if not all of the important ancient Hawaiian trails within Honouliuli-Ewa identified in the 1825 Malden Trails which the HART AIS did not include maps of or even mention. The ancient Hawaiian trails running from Honouliuli to Ewa, Kualaka'i and One'ula are very key components to understanding the cultural history of the Honouliuli ahupua'a. Portions of these trails still exist throughout Kanehili and cultural and archeological remnants still exist in areas where the HRT-PART rail line and stations will be going in. The archeological inventory of this historic trail has NEVER BEEN DONE.

I have to really question the credibility of the HRT-PART AIS for this entire project and the way it has been conducted so as to exclude a great deal of important Honouliuli - Ewa cultural and historic sites.

However this TCP has presented a huge problem for HART and FTA and they seem to have done everything possible to somehow move or minimize with mapping manipulation and apparently advice from SHPD-DLNR administrators to get the "no effect" result desired by FTA. The areas where HART has designated the Kanehili and kaupē'a areas are little boomerang shaped Post-It Notes and they continuously had the locations wrong (flipped), since April 2012 when the draft was quietly put out hoping no one would notice. Consultant Kepa Maly had repeatedly, in public meetings, stated that the locations were wrong, but HART never wanted to hear or correct this comment to even attempt some legitimate mapping effort. HART, SHPD has

apparently been trying figure out how to make this important sacred Honouliuli Leina problem somehow go away into a small box someplace, which is how iwi kupuna and cultural artifacts are always treated. This is a standard tactic when important Hawaiian culture items and wahi pana sites are found - always treated so as to minimize it and make it disappear.

I must also point out that while I and the Kanehili Cultural Hui have submitted very detailed Hawaiian cultural testimony to the Ewa Field Hunt Development Solar Energy Farm Section 106 and NEPA process all during last year, our views have not only been nearly completely ignored, they have even been mocked in the Navy's Programmatic Agreement (which no one in the local community even signed) with statements that "some Hawaiian's believe in Karst, etc" and other such extremely ignorant statements written it seems by a Navy persons with little Hawaiian cultural interest or scientific knowledge. I hope this isn't what HART's agenda is as well.

SHPD administrator Pua Aiu stated in a recent HART meeting that Puu O Kapolei should be recognized as a wahi pana, because "eventually Rail may go by there." This seems to be an issue for her because it would be publically convenient to recognize something completely out of the way that is already a City Park, but not at all convenient to have a wahi pana in the same area as a major shopping center, major railway station and major highway, so that it gets recognition for where it really exists and where Karst caves and underground water still flows with live native shrimp. Because the Leina a ka 'uhane is such a huge problem, the plan has been to obfuscate it and make sure no one locally really knows where it is. Clearly, it is in Kanehili, an area where even DHHL has named their home subdivision development, and where in the chants of Hi'iaka and other stories of Ewa, Kanehili and Kaupē'a are named and described in geographic ways that you know where approximately where these areas are. Other previous major archeological surveys, such as those done for the Navy in 1998-2003, have placed Kanehili in the former NAS Barbers Point - MCAS Ewa area, as well as the 1825 Malden Trails, which are clearly still there. Why hasn't the HART AIS even recognized this?

The 1825 Malden Trails - Another big problem HART land developers want to go away.

"In the early 1790s Captain George Vancouver visited the Hawaiian Islands. As a part of the Vancouver expedition, cartographer, Lt. C.R. Malden, prepared a map of a portion of O'ahu, which also covered the Honouliuli - Pu'u'uloa region. Malden's map was published in 1825 (Register Map No's 437 & 640), and provides the earliest cartographic record of the Honouliuli region. The map depicts several clusters of houses, fish weirs, and fishponds in the Honouliuli/Pu'u'uloa area. Being recorded during the early period of western contact, the map is believed to represent the basic pre-contact coastal settlement pattern for of Honouliuli and vicinity. Even though the map and visit is of an early date, given the rapid decline of the native population just after western contact, it is likely that the pre-contact population would have been higher and settlement more dense than indicated by the Malden." - Kepa Maly

The SHPD-Kaleikini Supreme Court case shows the far-reaching impacts of a Hawaii Supreme Court decision in August for the Honolulu rail project. That ruling concluded the State Historic Preservation Division failed to follow its own rules in allowing an archaeological inventory survey to be completed in four phases - construction was allowed to begin on each rail segment following survey work. Reading the letters exchanged between various City, State and Federal

agencies (FTA, etc.) show how incredibly rushed and sloppy this AIS work was and how it was being tailored to fit expedited rail contracts and rail construction. It is clear to anyone familiar with the culture and history of Honouliuli-Ewa that the AIS was a sham and shallow exercise.

The rail AIS is very premature because it is surveying according to maps developed in 2009. Much of the survey work is very outdated or poorly done according to modern professional archeological standards. The city's engineers still need to finish the Final Design of the project in segments #3 and #4. They have specific authority to make changes to the 2009 maps. Their work will result in bid documents that will clearly describe the rail footprint. Will the city do a supplemental AIS to review all the changes made to the 2009 maps? Next year we will see for the first time the support structures required for each of the over 100 columns in segment #4. The largest support structures will require huge construction sites for each column. These large construction sites will be up to 5 times larger than the trenches used in the AIS. We know for a fact that locations for certain stations in Honouliuli-Ewa aren't even accurately located according to GIS GPS data. The station designs are still largely fuzzy conceptual designs and are basically Post-It notes on maps. How can even this latest AIS and the ground surveys accurately define what is really going to happen when the final structural drawings are made and a myriad of utility, power, parking infrastructure aren't clearly known and detailed? Clearly, there will have to be another Supplemental AIS done.

Hawaiian Land and Cultural Rights As Stated in the Hawaii State Constitution

The land and the people are one. Access to and protection of native ecosystems is a cornerstone of continued cultural practice in Hawai'i. When a native species or critical ecosystem is lost to extinction or a wahi pani or wahi kapu is erased from the landscape, the words and traditions associated with them are also lost.

I believe it is my duty as a native Hawaiian cultural practitioner to state that we cannot afford any more of these losses and developments must adhere to state and federal laws.

In the HART AIS they don't recognize the Konohiki land management system and Wahi Kapu are not being recognized by the rail as a TCP as they protect limu, burial caves for iwi kupuna. These caves making the mistake of calling these wahi pana and not Wahi Kapu. The cultural practices are linked in and HART must provide geotech reports that show the below ground water system. The water needs to be sampled, monitored and not contaminated. Cultural monitoring done. Fresh water shows it is still a spring. I don't want money, I want these resources protected, which is the law in the State Constitution and under the US Federal Clean Water Act. I just want HART to follow the State and Federal laws. These must be retained under the Hawaiian Konohiki practice.

The mitigation is NO DESTRUCTION of these cultural and ecological sites or cause the contamination of them. These should be under cultural boundary zones to protect them.

This is also a Hawaii Public Trust Interest as stated in the Hawaii State Constitution.

The fisheries are for the public, this isn't just about Hawaiians- this is about all of the Hawaii people. The State of Hawaii is mandated to protect this resource- caves, karst, underground streams and rivers under Statute 6D 1-10, Article 11, Section 7 State Constitution: You do NOT destroy these aquifers and native Hawaiian cultural practice.

I would like to state up front that this concern of mine about Karst, caves, water flow, burials, etc. is not something that I "made up 10 minutes ago." I am on record going back at least since 2001 with these issues and at least a decade with Ewa related native Hawaiian cultural concerns. As I child I grew up around a major Karst cave water system in Moiliili as my father was the owner and manager of the historic Willows Restaurant in that community

I have attached to this document copies of correspondence and emails I have had with boards, councils, chairpersons and attorneys, among others, stating specific concerns about Karst, caves, water flow, burials, etc. I have also been practicing what I preach with ongoing classes on Hawaiian cultural practices related to limu, the stars, the Mawaewae Ceremony and have been an expert witness in legal cases involving native cultural practice. I have been officially recognized numerous times, including twice by the Honolulu City Council with Honorary Certificates, and in letters from the Chair of the Office of Hawaiian Affairs and others in City and State government. I have also represented myself Pro Se and won in legal issues in this area. I have recognized cultural practitioner standing from the State of Hawaii Preservation Department and the Oahu Island Burial Council.

The past practices that agencies and private parties have been illegally following for decades has led to the desecration of hundreds of iwi, unnecessary delays and cost overruns. I have advocated for Best Practices but in many cases this is not being followed by developers who are in a big rush to start up their bulldozers and don't really want to hear or know about the actual damage they are doing.

The Department of Transportation Section 4(f) bars the phasing of archaeological work for highway projects. The federal courts have so ruled on multiple occasions. And, section 4(f) protects burials sites, historic sites and cultural sites, which are eligible for listing on the National Register of Historic Places. These must be properly identified and not shoveled under a rug.

The Hawaii public is fighting against a "paradigm shift" which is taking over the thinking of more and more government officials. We are following a pattern which has been established with third world countries. Governments of these countries are squeezed by the World Bank and IMF to adopt "austerity" measures, slashing government services on the one hand, while yielding control over public assets to private corporations. The idea is to take advantage of the budget shortfall in order to wring from the government valuable public assets. This has got to stop in Hawaii before it gets started and the Hawaii public is becoming increasingly outraged by these tactics.

I cannot stress enough the special native Hawaiian cultural importance of the Ewa area and the ahupua'a of Honouliuli. This very important sacred area, in Western terms, is equivalent to Plymouth Rock, The Oregon Trail and Arlington National Cemetery. This is because the very first major landfall from ancient Tahiti was the Ewa shoreline where the very first breadfruit tree

from the homeland was planted. The 1825 Malden surveyed trails were major conduits for communication, defense, trade and very important religious and cultural ceremonies. And the Leina a ka Uthane in Kanehili was a sacred burial area for iwi kupuna in the tens of thousands. Burials in the Kanehili, Kaupē'a areas were conducted using the native Hawaiian Trails documented by Malden in 1825 and which HART Rail guideway and stations go directly over. There is still archeological evidence of this and the underground Karst caves and water flow system that still exists there.

Ancient Hawaiian tenants paid labor taxes and annual taxes to the Konohiki, or local overseer, who collected goods to support the chief and his court. The konohiki supervised communal labor within the ahupua'a and also regulated land, water and ocean use. The ancient trail system identified by Malden in 1825 was a major part of this Konohiki system of land and resource management.

Hawaiian Trails were hugely important in ancient times because they were not only key to trade, communication, defense, etc- they were also a showcase for the local Hawaiian community that maintained these important trails. Bad trail maintenance could see the regional chiefs raising the taxes paid as punishment for not keeping a section up to the same quality as other ahupua'a sections. These trails were also of huge importance during the annual Makahiki Ceremonies with Lono processions traveling throughout the ahupua'a of Honolulu. In addition, it is said that these same trails are still used, even when destroyed, by the Night Marchers of Honolulu, meaning that future rail stations, offices and homes will be directly on ancient spirit pathways. A large number of Hawaiian soldiers died in fierce combat in these areas and their troops are still heard and seen at certain times of the year moving through the Honolulu area on these Ancient trails.

The major Kalo'i Waterway was never adequately checked for archeological sites, yet considering that the major 1825 Malden identified trail system ran directly through this area that likely many thousands of native Hawaiians and later ranchers used, there is likely still cultural sites and data to be recovered.

Federal law concerning major projects like this multi-billion dollar publically funded railway explicitly requires that in the identification of historic cultural sites, a "reasonable and good faith effort" be made. We don't see this as having been the case and certainly Federal Judge Wallace Tashima stated in his ruling that he was greatly concerned about the identification of Traditional Cultural Properties (TCP) along the rail route.

I am especially concerned that Parsons Brinckerhoff wrote in the 2003 Final Honolulu BRT EIS:

"...extreme disruption of existing underground utilities and constant dewatering made necessary by a high water table and poor soils would drive construction costs to unacceptable levels." -2003 FEIS

I see this clear warning by a professional engineering company, contracted to give the best advice to their client- the City of Honolulu, as a paramount concern. The massive amount of deep pylon drilling that is going to take place to anchor rail fixed guide ways and station

platforms suggests a coming nightmare of destruction of Karst caverns, caves, below ground water channels and undetected iwi kupuna burials. This is going to be a large scale destruction of wahi pana and wahi kapu sites that are an integral part of native Hawaiian cultural practice.

Federal law concerning a major projects like this multi-billion dollar publically funded railway explicitly requires that in the identification of historic cultural sites, a "reasonable and good faith effort" be made. There are many stories of construction or personal vehicles falling into underground caves and sinkholes over a period of many decades, including up until very recently.

All of the identified caves either HART has identified or I have provided must be protected. This is the reason it made sense in 2012 I requested a FOIA for all of the Pylons, which I was denied and I have cause for eminent harm. We believe that the overall primary, cumulative and secondary project impacts to cultural and historic sites significantly affects the quality of the human environment—and particularly underground resources such as widely documented karst systems known to contain Hawaiian Iwi, pre-historic remains and rare aquatic native shrimp.

The underground water that is known by hydrological documents and traditional Hawaiian cultural observation flows below ground in a myriad of karst channels and networks, which rail pylons and other site construction may impact. In this karst system the water from the upper lands and mountains directly impacts the propagation and sustainability of rare forms of Hawaiian limu along the shoreline which is an important cultural and medicinal resource practice protected for native Hawaiians under Hawaii State Law.

I don't see this as having been the case so far and certainly Federal Judge Wallace Tashima agreed when he stated in his recent legal ruling that he was greatly concerned about the identification of Traditional Cultural Properties (TCP) along the rail route. Native Hawaiian TCP's do not follow any exact linear, circular or simple place box format like a TMK. They can cover a large area, vary in depth and width and are often linked together by trails, caves, ponds and canoe landings.

I am very concerned that many of the actual stations appear still as just design sketches, and "wouldn't it be nice if it looked like this" but in fact there are no actual construction details showing what will REALLY be put up, and exactly where. I am very concerned that another Supplemental Archeological Inventory Survey will have to be required and that this whole project still has many undefined construction parameters that could significantly alter what we are commenting on right now.

My Kulcana is native Hawaiian cultural practice and I am a believer in the Konohiki concept of ecological management. It is my duty and obligation as a native Hawaiian cultural practitioner to require recognition of the **ancient lava tubes and Karst cave water systems** as an integral part of protections needed. Careful and thorough studies be done to accurately map out where all Lava and Karst caves, caverns and water channels are and to strictly avoid puncturing and contaminating them.

Careful water studies, geotechnical studies, reports must be made and documentation made showing how these very important features will be avoided and preserved from damage during construction. I need to see these and my past requests for this information has not been honored.

There needs to be continuous water monitoring, to insure that the Clean Water Act is not being violated.

Important Hawaiian Cultural Beliefs Concerning Water:

He hūewai ola ke kanaka na Kane.

Water is life and Kane (god) is the keeper of life.

Kuleana

A privilege and responsibility referring to the assignment of managing water.

Ola i ka wai

Water is life (We should not forget this on our island)

Cultural and Legal Rights in Hawaii Nei:

Appurtenant rights: Protects land that was cultivated by traditional crops before the colonization period, such as taro that requires a necessary amount of water to cultivate. Rights are attached to the land, not an individual. This right receives the highest level of protection under Hawaiian law and is considered a public trust purpose.

Native Hawaiian rights: Reinstates Article XII Section 7 of the Hawaii Constitution that states, "The State reaffirms and shall protect all rights, customarily and traditionally exercised for subsistence cultural and religious purposes and possessed by ahupua'a (see Hawaiian Cultural Beliefs page) tenants who are descendants of native Hawaiians prior to 1778..."

Riparian rights: Protects the interests of people who live near a river or stream to reasonably use that riparian surface water source. Appurtenant and Native Hawaiian rights supersede riparian rights. Existing riparian rights cannot be severed from the riparian land regardless of sale or designated water management areas, however riparian landowners who are not using water currently from an adjacent stream may or may not be granted a new permit.

Michael Lee

91-1200 Keauniu Drive, Unit 614,
Ewa Beach, Hawaii 96706
808-683-1954

Please see attached Addendums:

1. HART Rail FOIA - ML
2. Hoopili Case - ML
3. BLNR Dec. 12, 2008 Item K-3 Contested Case Hearing Request - ML
4. OHA Letter Mr. Nomua
5. Previous Emails with HART - ML

Honouliuli TCP Information

Honouliuli Recognition papers Native Hawaiian Cultural Practitioner

HC's given by City Council as Native Hawaiian Cultural Practitioner

April 7, 2010 OIBC for TMKS of Haseko, etc Honouliuli

Navy recognized Section 106 consultant for Ewa Field PV site

HCDA recognized Native Hawaiian Cultural Practitioner

Recognized April 1, 2012 in Hoopili Case by Dr. Horton

Big Island- Hokulia case - Judge Ronald Ibara as is a precedents for Courts

July 20, 2013

From:
Kanehili Cultural Hui, Ewa, Honouliuli, Oahu
Michael Lee
Glenn Oamilda
John Bond

Cover Letter and Addendums as Comments On:
Honolulu Rapid Transit Corridor Project Archeological Inventory Survey
of the 22 mile fixed guide way and stations (phases 1-4)

To:

Mr. Leslie Rogers, Regional Administrator
Federal Transit Administration, Region 9
201 Mission Street, Suite 2210
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William J. Aila, Jr., Chairperson
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Honolulu, Hawaii, 96813

Barbara Gilliland, AICP, Planning Manager
Parsons Brinckerhoff
1099 Alakea Street, Aii'i Place, 17th Floor
Honolulu, HI 96813

July 20, 2013

Aloha,

The Kanehili Cultural Hui as formed in 2012 is a 501-c-3 was created to address the protection, inventorying and preservation of these critically important cultural and historical sites, trails, Karsts, flora, and fauna for responsible Public Trust community stewardship through education and advocacy of these Ewa Plain Hawaiian Cultural resources. It officially became a HART consulting party in July 2012.

The president and vice president of the Kanehili Cultural Hui are long time members of the Honouliuli-Ewa area. John Bond is a local Ewa historian who has received official recognition certificates from the Honolulu City Council and Hawaii State Legislature and began recording Ewa history in 1969. Glenn Oamilda is extremely well known in the Honouliuli Ewa area for his work in Hawaiian cultural issues, Ewa –Kapolei neighborhood boards, numerous Ewa community development plans, testifying on community concerns at the City Council and State legislature, and is President of the 50 year old Ewa Beach Community Association. He and his wife grew up on and worked for the Honouliuli-Ewa area plantations. Michael Lee provides Kanehili Cultural Hui very deep and well researched insights into native Hawaiian cultural and religious issues and has led the way in Ewa iwi kupuna, wahi pana, and wahi kapu concerns and also in education of the community in the Konohiki – ecosystem management of the Karst water system, native flora and fauna, caves, caverns, sinkholes, ponds and below surface estuaries that affect the limu and Ewa fisheries. Mike Lee's family roots go back to the John Meek Big Tree Ranch in Honouliuli-Ewa.

The Honolulu City Council passed unanimously in 2012 the Ewa Plain Trails resolution, supported by the Kanehili Cultural Hui, giving our community cultural history organization further standing in Honouliuli-Ewa by advocating for the protection of the 1825 mapped Malden Trails (ancient Hawaiian trails) and Ewa Karst water system, which is the ancient limestone reef wetlands water system beneath the Ewa Plains and which also runs along the southern shoreline of Oahu. Much of Honolulu's original history and culture is based upon the Karst water system, Karst burial caves. Kawaiaha'o Church is a graphic example of the ancient Honolulu Karst system, having been built from ancient coral reef and the name symbolizes the Karst spring there. I'olani Palace, the royal barracks and other very old and historic structures in the downtown area are made with Karst coral reef blocks from the shoreline areas.

The Leina a ka 'uhane in Kanehili, Honouliuli-Ewa – Make It Go Away?

We are very concerned about the Hawaiian Traditional Cultural Property (TCP) in Honouliuli called the Leina a ka Uhane, a very sacred spiritual leaping place for souls of the deceased returning to their ancient homeland. This major wahi pana (sacred place) was officially recognized as existing by the HART Rail Project AIS in an April 2012 published document as a requirement to identify Honouliuli-Ewa TCPs. This TCP is clearly within the ancient area known as Kanehili, which includes Kaupe'a, and also overlaps most if not all of the important ancient Hawaiian trails within Honouliuli-Ewa identified in the 1825 Malden Trails which the HART AIS did not include maps of or even mention. The ancient Hawaiian trails running from Honouliuli to Ewa, Kualaka'i and One'ula are very key components to understanding the cultural history of the Honouliuli ahupua'a. Portions of these trails still exist throughout Kanehili and cultural and archeological remnants still exist in areas where the HART-HART rail line and stations will be going in. The archeological inventory of this historic trail has NEVER BEEN DONE.

However this TCP has presented a huge problem for HART and FTA and they seem to have done everything possible to somehow move or minimize with mapping manipulation and apparently advice from SHPD-DLNR administrators to get the "no effect" result desired by FTA. The areas where HART has designated the Kanehili and kaupe'a areas are little boomerang shaped Post-It Notes and they continuously had the locations wrong (flipped), since April 2012 when the draft was quietly put out hoping no one would notice. Consultant Kepa Maly had repeatedly, in public meetings, stated that the locations were wrong, but HART never wanted to hear or correct this comment to even attempt some legitimate mapping effort. HART, SHPD has apparently been trying figure out how to make this important sacred Honouliuli Leina problem somehow go away into a small box someplace, which is how iwi kupuna and cultural artifacts are always treated. This is a standard tactic when important Hawaiian culture items and wahi pana sites are found - always treated so as to minimize it and make it disappear.

SHPD administrator Pua Aiu stated in a recent HART meeting that Puu O Kapolei should be recognized as a wahi pana, because "eventually Rail may go by there." This seems to be an issue for her because it would be publically convenient to recognize something completely out of the way that is already a City Park, but not at all convenient to have a wahi pana in the same area as a major shopping center, major railway station and major highway, so that it gets recognition for where it really exists and where Karst caves and underground water still flows with live native shrimp. Because the Leina a ka 'uhane is such a huge problem, the plan has been to obfuscate it and make sure no one locally really knows where it is. Clearly, it is in Kanehili, an area where even DHHL has named their home subdivision development, and where in the chants of Hi'iaka and other stories of Ewa, Kanehili and Kaupe'a are named and described in geographic ways that you know where approximately where these areas are. Other previous major archeological surveys, such as those done for the Navy in 1998-2003, have placed Kanehili in the former NAS Barbers Point - MCAS Ewa area, as well as the 1825 Malden Trails, which are clearly still there. Why hasn't the HART AIS even recognized this?

The 1825 Malden Trails - Another big problem HART land developers want to go away

"In the early 1790s Captain George Vancouver visited the Hawaiian Islands. As a part of the Vancouver expedition, cartographer, Lt. C.R. Malden, prepared a map of a portion of O'ahu, which also covered the Honouliuli - Pu'uoloa region. Malden's map was published in 1825 (Register Map No's 437 & 640), and provides the earliest cartographic record of the Honouliuli region. The map depicts several clusters of houses, fish weirs, and fishponds in the Honouliuli/Pu'uoloa area. Being recorded during the early period of western contact, the map is believed to represent the basic pre-contact coastal settlement pattern for of Honouliuli and vicinity. Even though the map and visit is of an early date, given the rapid decline of the native population just after western contact, it is likely that the pre-contact population would have been higher and settlement more dense than indicated by the Malden." - Kepa Maly

The SHPD-Kaleikini Supreme Court case shows the far-reaching impacts of a Hawaii Supreme Court decision in August for the Honolulu rail project. That ruling concluded the State Historic Preservation Division failed to follow its own rules in allowing an archaeological inventory survey to be completed in four phases - construction was allowed to begin on each rail segment following survey work. Reading the letters exchanged between various City, State and Federal agencies (FTA, etc.) show how incredibly rushed and sloppy this AIS work was and how it was being tailored to fit expedited rail contracts and rail construction. It is clear to anyone familiar with the culture and history of Honouliuli-Ewa that the AIS was a sham and shallow exercise.

The rail AIS is very premature because it is surveying according to maps developed in 2009. Much of the survey work is very outdated or poorly done according to modern professional archeological standards. The city's engineers still need to finish the Final Design of the project in segments #3 and #4. They have specific authority to make changes to the 2009 maps. Their work will result in bid documents that will clearly describe the rail footprint. Will the city do a supplemental AIS to review all the changes made to the 2009 maps? Next year we will see for the first time the support structures required for each of the over 100 columns in segment #4. The largest support structures will require huge construction sites for each column. These large construction sites will be up to 5 times larger than the trenches used in the AIS. We know for a fact that locations for certain stations in Honouliuli-Ewa aren't even accurately located according to GIS GPS data. The station designs are still largely fuzzy conceptual designs and are basically Post-It notes on maps. How can even this latest AIS and the ground surveys accurately define what is really going to happen when the final structural drawings are made and a myriad of utility, power, parking infrastructure aren't clearly known and detailed? Clearly, there will have to be another Supplemental AIS done.

We believe after studying the archeological report made for the Section 1 of the H RTP that this Ewa West Oahu segment has been very inadequately documented as to what cultural and historic structures and features are out in this area.

It was in fact only very recently revealed in a HART meeting that ALL CULTURES in Hawaii have a right to Traditional Cultural Properties. Yet the entire Rail AIS was conducted entirely as a "Hawaiians Only" exercise and virtually no one else was included in the TCP identification process. We doubt that very few in the local communities, especially out in Honouliuli-Ewa even know that their villages and cultural histories are National register eligible. The outreach has been extremely poor and the SHPD administration has consistently worked to exclude public awareness on all these efforts.

In fact, the notice that the public had a right to comment on the entire AIS was put up for just one day on the SHPD website, and then taken down the next day. Only the efforts of concerned community organizations got the word out and eventually forced the SHPD administration to put the notice back up again. We worked to make sure the news media got the word out - but most people in the community only had a few weeks notice. This is exactly how the SHPD-HART "process" has been conducted - to be as exclusionary and "under the radar" as possible to prevent public comment on key requirements - such as an accurate AIS.

Public input on TCP's are supposed to be on-going, consultation process, according to the Federal Section 106 Process. There isn't any "Once and for all" - "Going, going GONE" process - but that is exactly how the H RTP SHPD AIS and TCP program has been run. The idea has been to exclude as many people and sites as possible. How can new or available information be legally excluded from a large Federally funded project like this? There has been a huge amount of historic and cultural site documentation that has been intentionally excluded which directly affects nearby or below ground community cultural resources.

TCPs are "places of religious and cultural significance" (NHPA Section 101 and NHPA regulations, Section 106). NHPA guidance (Parker and King 1990:1) defines a TCP as a property "... that is eligible for inclusion in the National Register because of its association with cultural practices or beliefs of a living community that (a) are rooted in that community's history, and (b) are important in maintaining the continuing cultural identity of the community." TCPs derive their importance from the practices or beliefs of a community because they are integral to the community's history and identity. The people who are best able to identify these places and

their importance are the members of the community that understand their value. We have spoken directly with Tom King about this and know that the SHPD-HART rail "process" doesn't allow THEM to tell the community what and where their important historic and cultural sites and resources are. SHPD and HART are supposed to listen to the community, but they haven't been doing it.

The Hawaii public is fighting against a "paradigm shift" which is taking over the thinking of more and more government officials. We are following a pattern which has been established with third world countries. Governments of these countries are squeezed by the World Bank and IMF to adopt "austerity" measures, slashing government services on the one hand, while yielding control over public assets to private corporations. The idea is to take advantage of the budget shortfall in order to wring from the government valuable public assets. This has got to stop in Hawaii before it gets started and the Hawaii public is becoming increasingly outraged by these tactics.

Ewa Cultural Historic Corridor District – Protecting the Historic Ewa Cultural Integrity

This needs to be a recognized area and part of any HART rail line in Ewa- the Ewa Cultural Historic Corridor District. We know that there will likely be another rail station at the DeBartolo DHHL "shopping center" site next to Ewa Village and the historic Hawaiian Railway – O.R. & L. Attempts are already being made to make the railway move its historic rail yard. Land next to historic Verona Village has already been taken away and traded to DHHL as part of a HART Rail development deal. Obviously there are MAJOR IMPACTS already underway because of the HART fixed guideway and stations. The HART plan has always been to make it appear that the rail line stops "short" of having any actual historic impacts- yet that is clearly another "under the radar" method of development without revealing the true intentions of the overall project which is being Federally funded.

We cannot stress enough the special native Hawaiian cultural importance of the Ewa area and the ahupua'a of Honouliuli. This very important sacred area, in Western terms, is equivalent to Plymouth Rock, The Oregon Trail and Arlington National Cemetery. This is because the very first major landfall from ancient Tahiti was the Ewa shoreline where the very first breadfruit tree from the homeland was planted. The 1825 Malden surveyed trails were major conduits for communication, defense, trade and very important religious and cultural ceremonies. And the Leina a ka Uhane in Kanehili was a sacred burial area for iwi kupuna in the tens of thousands. Burials in the Kanehili, Kaupe'a areas were conducted using the native Hawaiian Trails documented by Malden in 1825 and which HART Rail guideway and stations go directly over. There is still archeological evidence of this and the underground Karst caves and water flow system that still exists there.

This area of Honouliuli-Ewa has some of the most important cultural and historic features of any place on Oahu which have been entirely overlooked and/or inadequately documented. We know this because the 1999 closure of Naval Air Station Barbers Point required an extensive number of historic, cultural and archeological studies be done. These extensive and detailed studies mapped ancient sites, trails and historic features throughout the Honouliuli-Ewa area, because they were all contiguous and related to the Ewa Plain and Ewa coastal areas. This has been well documented but HART AIS has somehow ignored all of this and the still existing evidence.

The HRTA AIS failed to adequately document these features, despite having also come up with other separate cultural documentation on the Leina a ka Uhane and Kualaka'i area. Kepa Maly at City Council Ewa Development Plan meeting held at Kapolei Hale in 2012 testified that "hundreds if not thousands of iwi kupuna were buried in the Kanehili area."

The Ewa Historic Corridor: The entire length of Renton Road to Railway Museum, to entrance to MCAS Ewa Field front gate. This area is a hugely important Ewa History Corridor. This links up with the Hawaiian Railway – O. R. & L, Ewa Mooring Mast, Ewa Field, MCAS Ewa, Cold War Era buildings, etc. which have been identified and determined as National Register eligible areas. In addition, this entire area is part of the Ewa Battlefield- still being defined by a survey project currently underway.

The Honouliuli-Ewa Cultural Corridor: From Waipahu to Honouliuli to Ewa to shoreline. One'ula Beach, Kualaka'i, Old Fort Weaver Road, these are all linked historically and culturally. Ewa Plantation Cultural Landscape- Mango Tree Road, Waimanalo Road, Palehua Road, Rail Stops: Sisal, Brown's Camp and more. We have documented many Ewa Villagers and recorded their oral histories about this.

It would seem obvious that ancient populations in Honouliuli-Ewa needed ways to get around and Hawaiians were well known for their extensive trail systems connecting villages, food resources and adjacent ahupua'a's. In the early 1800's a British Royal Navy ship arrived to map out Oahu and took special note of three main features- the Honolulu (Kou) area, the area now called Pearl Harbor, and the major trail system connecting the major village of Honouliuli with the Waianae area and with the important coastal areas of Kualaka'i and One'ula on the Ewa shoreline.

This major ancient Hawaiian trail system documented by Malden in 1825 completely defined and influenced the early settlement of the area of the Ewa Plains for later ranches, the plantations (Sisal and sugar), the Oahu railway, the construction of the Ewa Mooring Mast and the Ewa Marine and Navy Barbers Point airfields. Sections of these ancient Hawaiian trails still exist today and they are hugely important cultural and archeological features that the HRTA HART AIS studies completely neglected to include, and which are in some cases directly under the fixed guideway, rail stations with infrastructure and TOD's.

Ewa Plantation built Pipeline Village in 1906 for Portuguese and Japanese workers. Although the houses had detached cooking facilities, each of the dwellings was built on a separate lot and was "enclosed by a fence and supplied with water. Waimanalo Camp, another village that has not been adequately documented. There is more out there that needs an accurate and modern standard archeological survey done before major land development takes place.

There are archeological sites where American planes crashed during the December 7th attack, locations of Army AA field positions, Command Posts, small army camps, an air strip, Ewa plantation water lines, railway lines, flumes, railway trestles, Ewa Plantation pesticide mixing facility. There is much more out there that was entirely missed in the HART AIS.

Honouliuli was the site of a very important ancient Hawaiian community with vast kalo ponds feeding many thousands of people. Nearby was the original historic capital of the Hawaiian Kingdom- Waipio, and the entire area was known as a breadbasket of kalo, fish, shellfish, etc. This was linked in by these major ancient Hawaiian trails to these related Ewa areas.

Ancient Hawaiian tenants paid labor taxes and annual taxes to the Konohiki, or local overseer, who collected goods to support the chief and his court. The konohiki supervised communal labor within the ahupua`a and also regulated land, water and ocean use. The ancient trail system identified by Malden in 1825 was a major part of this Konohiki system of land and resource management.

Hawaiian Trails were hugely important in ancient times because they were not only key to trade, communication, defense, etc- they were also a showcase for the local Hawaiian community that maintained these important trails. Bad trail maintenance could see the regional chiefs raising the taxes paid as punishment for not keeping a section up to the same quality as other ahupua`a sections. These trails were also of huge importance during the annual Makahiki Ceremonies with Lono processions traveling throughout the ahupua`a of Honouliuli. In addition, it is said that these same trails are still used, even when destroyed, by the Night Marchers of Honouliuli, meaning that future rail stations, offices and homes will be directly on ancient spirit pathways. A large number of Hawaiian soldiers died in fierce combat in these areas and their troops are still heard and seen at certain times of the year moving through the Honouliuli area on these Ancient trails.

The major Kalo`i Waterway was never adequately checked for archeological sites, yet considering that the major 1825 Malden identified trail system ran directly through this area that likely many thousands of native Hawaiians and later ranchers used, there is likely still cultural sites and data to be recovered.

We have interviewed dozens of Ewa Villagers over the past several years and have a large amount of documentation from many sources. Other very good cultural and historic surveys were also done that the H RTP AIS seems to have completely ignored.

We believe there should be established an Ewa TCP, Ewa Historic Corridor and recognition by HART and the City of an Ewa TCL (Traditional Cultural Landscape). These are all National Park Service recognized historic preservation concepts.

1. The initial major historic settlement from Tahiti - Puuloa
2. The Leina a ka Uhane – Very sacred spiritual leap to Tahiti homeland
3. 1825 Malden Trails – Trade, Communication, Defense
4. The most successful Sugar Plantation on Oahu
5. The major extension of the King Kalakaua chartered O.R.&L. in 1890
6. The very important below ground Karst water transport system
7. Major importance during the December 7, 1941 attack on Pearl Harbor
8. Major WW-II and Cold War Era Historic Districts
9. Historic Hawaiian Railway train yard under threat of removal.

Federal law concerning major projects like this multi-billion dollar publically funded railway explicitly requires that in the identification of historic cultural sites, a "reasonable and good faith effort" be made. We don't see this as having been the case and certainly Federal Judge Wallace Tashima stated in his ruling that he was greatly concerned about the identification of Traditional Cultural Properties (TCP) along the rail route.

TCP's do not follow any exact linear or simple place box format like a TMK. They can cover a large area and are nevertheless linked together by trails, trade, etc. There are numerous sources that were apparently not consulted or reviewed in determining nothing of cultural or

historic significance in the Honouliuli-Ewa Section. Many large and detailed reports were done by the International Archeological Research Institute and many noted archeologists.

We are especially concerned that Parsons Brinckerhoff wrote in the 2003 Final EIS:

"...extreme disruption of existing underground utilities and constant dewatering made necessary by a high water table and poor soils would drive construction costs to unacceptable levels." -2003 FEIS.

These historic and cultural sites deserve the same attention as the downtown historic and cultural sites. There should be recorded oral histories done with Ewa Village residents for their TCP.

Sincerely,

Michael Lee

Glenn Oamilda

John Bond

Kanehili Cultural Hui
P.O. Box 75578
Kapolei, HI. 96707

Record Date : 7/22/2013
First Name : Mrs.
Last Name : Lowe
Business/Organization :
Address :
Apt./Suite No. :
City :
State :
Zip Code :
Email :
Telephone :
Add to Mailing List :

Submission :

It is appalling when the city continues to move this project forward when the community rejects it. You may say most of the people voted on it, but it was because the cost was a lie. As soon as the project voted in by most of the people, then we saw the price tag went up; how absurd. I do not want my taxes go up to support this stupid project. Some of our well to do friends want this project so that everyone else rides it while they enjoy driving their cars; they said it so themselves. This is so selfish, prideful, and full of ignorance. Whoever wants this project should be tax as they support it; leave me and everyone else alone who do not want this project. Do not tax us. Go tax the supporters of this unnecessary project. I know unions want jobs, but at whose expense? I absolutely am not supporting this rail.

Low-1

Low-1

The FTA and HART appreciate the commenter's interest in the Honolulu Rail Transit Project and acknowledge the objection to the Project.

Reply Requested :

Record Date : 7/13/2013
First Name : Tom
Last Name : McLaughlin
Business/Organization :
Address :
Apt./Suite No. :
City :
State :
Zip Code :
Email :
Telephone :
Add to Mailing List :

Submission : It seems absurd to spend so much money for a transportation system that does not connect the locations where people need to go. The University-Manoa, Waikiki, Kapolei, Ewa Beach and Salt Lake areas are high density locations but are not served by rail stations. The route needs to be practical and that means taking folks out of cars and off the roads by going where they need to go.

McL-1

McL-1

The FTA and HART appreciate the commenter's interest in the Honolulu Rail Transit Project. Please see Common Response 11 in Section 5.2.4 of the Final Supplemental Environmental Impact Statement/Section 4(f) Evaluation [EIS/4(f)] regarding comments outside of the scope of the Supplemental EIS/ 4(f). Please see Common Response 2 about the cost of extending the Project to UH Mānoa.

Reply Requested :

From: Pat Meyers

TO: CITY COUNCIL MEMBERS, HONOLULU MAYOR

COULD YOU PLEASE EXPLAIN TO ME WHAT YOU ARE DOING ABOUT THE DOT-FTA-HUD APPROVING THE FOLLOWING ARTICLE?
THANK YOU,

PAT MEYERS
KAILUA

Aloha,
DOT-FTA-HUD Approves Wasting Billions On Six Sea Level HART Rail Stations

Kakaako is a development district in Honolulu that was created in the past century by filling in tidal ponds and lagoons with loose coral, sand and garbage land fill material. The attached PDF shows the areas history and a dozen test trenches already show permanent ground water below the land surface.

Kakaako is well known for regular sewer and water line breaks and street flooding, as are adjacent coastal areas of Honolulu which are Karst plains fed by fresh water springs. Hawaiians turned these areas into fish ponds and taro patches. Later Asian immigrants turned these areas into rice paddies. Eventually all of these low sea level lands were filled in using dredging sludge, sand and loose coral.

The mitigation to fix the huge number of problems for this badly chosen rail route will cost Hawaii taxpayers many billions of dollars and likely delay use of the rail system for many more years to come. HART engineers know all about the well documented problems but this has been hidden from the public so that they will have decades of future rail construction contracts.

DOT-FTA agree with this intentional bad planning scam and Congress just approved \$250 million to be thrown down this construction rat hole. The HART rail project will ultimately be proven to be the worst construction scam since the Boston "Big Dig," and may likely surpass it in massive waste, bad planning and intentional public deception.

During civil defense emergencies the rail system will be completely shut down and unusable, especially after a major FEMA predicted Hurricane storm surge rolls through these very low coastal areas of Honolulu destroying streets and ground level infrastructure.

Mey-1

Mey-1

The FTA and HART appreciate the commenter's interest in the Honolulu Rail Transit Project. Please see Common Response 11 in Section 5.2.4 of the Final Supplemental Environmental Impact Statement/Section 4(f) Evaluation [EIS/4(f)] regarding comments outside of the scope of the Supplemental EIS/ 4(f). Please see Environmental Protection Agency comments and response in Appendix A to the Final EIS/4(f) regarding sea level rise.

Mey-2

Mey-2

Please see Common Response 11 in Section 5.2.4 of the Final Supplemental EIS/4(f) regarding comments outside of the scope of the Supplemental EIS/ 4(f).

7/3/2013

A higher elevation, logical commuter rail route was originally suggested for the HART system which could have avoided all of these problems, but the reason for building the FTA funded HART system is for real estate development of these low coastal lands and selling the properties off to foreign investors.

Many in Hawaii already recognize the project was hijacked by big banks and big developers and isn't the commuter rail system originally promised and voted for. But the political establishment in Hawaii feeds off of all of the developer contributions and union PAC monies and is more than happy to let this massive public deception take place.

Oahu tax-payers will also have to pay for all of these decaying sea coast infrastructure projects in soaring water and sewer bills, as well as increasing HART rail taxes for the very badly planned sea level project which is increasingly well documented as very vulnerable to ground water, sea level rise and storm surge.

The featured site in this Environmental Assessment is adjacent to Mother Waldron Park...And the HART rail line runs right through this same area. Ground access to six HART stations will be significantly affected by Ground Water Rise, Sea Level Rise and Hurricane Storm Surge in the coming years.

Many test trenches show ground water just 1-2 meters below the surface. Soil is mostly coral, sand, silt and junk land fill and in pre-western times was tidal ponds and lagoons fed by freshwater Karst springs.

Many burials from many eras area in this same area. The EA has lots of maps and photos.

Mey-3

Mey-3 Please see Common Response 7 in Section 5.2.4 of the Final Supplemental EIS/4(f) regarding impacts to Mother Waldron Park.

Mey-4

Mey-4 Please see Common Response 10 in Section 5.2.4 of the Final Supplemental EIS/4(f) regarding karst formations.

Mey-5

Mey-5 The Archaeological Inventory Surveys are now complete and the City has determined that the Project will avoid impact to any burials.

7/3/2013

Record Date : 7/22/2013
First Name : Edith
Last Name : Mock
Business/Organization :
Address :
Apt./Suite No. :
City :
State :
Zip Code :
Email :
Telephone :
Add to Mailing List :

Submission : Lives at Harbor Court and has questions regarding elevated rail on Nimitz Hwy., project schedule, operational noise levels, trees in the median on Nimitz Hwy.

MOC-1

Moc-1 The FTA and HART appreciate the commenter's interest in the Honolulu Rail Transit Project. Comments on noise and landscaping were addressed in the Honolulu High-Capacity Transit Corridor Project Final Environmental Impact Statement/Section 4(f) Evaluation issued in June 2010.

: She also mentioned that she does not support the Beretania Street alternative as she has a concern over the underground Karst Caverns if the system is built under Beretania Street. A tunnel to UH under Beretania and King streets present problems in Moiliili with underground water caverns. An underground tunnel in that area would be "underwater" as she stated.

MOC-2

Moc-2 Please see Common Response 10 in Section 5.2.4 of the Final Supplemental EIS/4(f).

Reply Requested :

Record Date : 7/11/2013
First Name : Margaret
Last Name : Murchie
Business/Organization :
Address :
Apt./Suite No. :
City :
State :
Zip Code :
Email :
Telephone :
Add to Mailing List :
Submission :

Total waste of taxpayers money. If we must live mufi's boondoggle at least do it well. Build it to the uh & along the east/west corridor through communities originally planned to serve not to the shopping center! ensure there are public bathrooms in stations, make sure there's adequate parking & seating for commuters. Get out of expensive office space & reconsider this whole ridiculous proposition. Shades of convention center only much worse. Why not have toll roads, double deck existing roadways, stop subsidizing public employee parking, get unlicensed cars & drivers off roads. This poorly proposed project was voted in by ignorance & false promise. It makes no economic sense. I sincerely hope that this project will go away sooner rather than later. Do not throw our good money after bad. Let common sense prevail. Everyday brings more legitimate red flags.

Mur-1

Mur-1

The FTA and HART appreciate the commenter's interest in the Honolulu Rail Transit Project.

Reply Requested :

Record Date : 7/12/2013
First Name : Marsha
Last Name : Ninomiya
Business/Organization : University of Hawaii Manoa
Address :
Apt./Suite No. :
City :
State :
Zip Code :
Email :
Telephone :
Add to Mailing List :

Submission : The rail should initially go to University of Hawaii Manoa. Traffic is definitely lighter when Manoa is not in session. We want rail to reduce traffic congestion during rush hour and other times also. | Nin-1

Reply Requested :

Nin-1

The FTA and HART appreciate the commenter's interest in the Honolulu Rail Transit Project. Please see Common Response 11 in Section 5.2.4 of the Final Supplemental Environmental Impact Statement/Section 4(f) Evaluation [EIS/4(f)] regarding comments outside of the scope of the Supplemental EIS/ 4(f). Please see Common Response 2 about the cost of extending the Project to UH Manoa.



PACIFIC GUARDIAN LIFE

H. BRIAN MOORE
Senior Vice President
Real Estate Investment

July 19, 2013

Mr. Ted Matley
FTA Region IX
201 Mission Street, Suite 1650
San Francisco, CA 94105

Mr. Daniel A. Grabauskas
Honolulu Authority for Rapid Transportation
City and County of Honolulu
1099 Alahea Street, Suite 1700
Honolulu, HI 96813

**Subject: Honolulu Rail Transit Project
Draft Supplemental Environmental Impact Statement**

Dear Messrs. Matley and Grabauskas:

I am writing on behalf of Pacific Guardian Center (PGC) to comment on the Draft Supplemental Environmental Impact Statement/Section 4f Evaluation [EIS/4(f)] dated May 2013.

We have reviewed the Draft Supplemental EIS/4(f) and wish to express our wholehearted support for the Beretania Street Tunnel Alternative. Unlike the current proposed Project, the Tunnel Alternative would offer the following significant benefits to transit riders and the public alike:

- A more convenient transit route closer to the central corridor of Honolulu
- A direct connection between the UH West Oahu and UH Manoa campuses
- Preservation of the views and character of Honolulu's most historic waterfront, Chinatown and Hawaii Capital Special Districts

Should the transit route remain along the Nimitz corridor, we would like to remind HART of our previous concerns expressed in an August 12, 2010 letter to the FTA and the City and County of Honolulu, where we voiced PGC's concerns of the Project's adverse impact to the historic Dillingham Transportation Building (DTB) and the adjoining PGC plaza. We also offered suggestions and alternatives for mitigating these detrimental effects. I have enclosed a copy of our letter for your reference. Please note that we have not received any response to date.

Our stated concerns remain, and we further urge HART to more seriously consider the alternative of implementing a Fort Street Mall station instead of the proposed Downtown station. Fort Street Mall already serves as the primary public Mauka/Makai pedestrian thoroughfare from the Aloha Tower to Beretania Street. As such, it presents a natural and logical station location for a transit system intended to serve pedestrians. Compared with the PGC plaza, Fort Street is also more appropriately configured to accept the expected magnitude of foot traffic during peak periods.

PGC-1

Please see Common Response 5 in Section 5.2.4 of the Final Supplemental EIS/4(f) regarding the feasibility and prudence of the Beretania Street Tunnel Alternative.

As discussed in Section 3.5.1 of the Draft Supplemental EIS/4(f), both the Project and the Beretania Street Tunnel Alternative would provide very similar benefits to transit riders, including similar service to downtown and a trade-off between direct service to UH Mānoa with a bus transfer to Ala Moana Center and direct service to Ala Moana Center with a bus transfer to UH Mānoa. See Common Response 2 regarding extension to UH Mānoa.

PGC-1

Only the Beretania Street Tunnel Alternative would obstruct protected view corridors in the Capital Special District as shown in Figure 23 of the Draft Supplemental EIS/4(f). View impacts of the Project to the waterfront and Chinatown were discussed in Section 4.8.3 of the Final EIS/4(f).

PGC-2

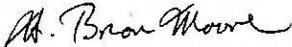
PGC-2

Comments on the Honolulu High-Capacity Transit Corridor Project Draft EIS/4(f) were addressed in Appendix A to the Final EIS/4(f) issued in June 2010. Any comments made on the Final EIS/4(f) that had not been previously addressed were summarized and addressed in the Record of Decision issued by FTA on January 18, 2011. HART will continue to coordinate and work with the Pacific Guardian Center as the Project is implemented. The Fort Street Mall station location was evaluated (Figure 5-31) and rejected in the Final EIS/4(f).

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TEL (808) 942-1330 • FAX (808) 942-6589 • EMAIL: hmoore@pacificguardian.com

Pacific Guardian Center looks forward to further dialogue with the City and County of Honolulu, and we thank you for this opportunity to offer our comments and recommendations.

Sincerely Yours,



H. Brian Moore
Asset Manager for Pacific Guardian Center

Encl.: August 12, 2010 letter



PACIFIC GUARDIAN LIFE

H. BRIAN MOORE
Senior Vice President
Real Estate Investment

Hand delivered

August 12, 2010

Mr. Ted Matley
FTA Region IX
201 Mission Street, Suite 1650
San Francisco, CA 94105

Mr. Wayne Yoshioka
Department of Transportation Services
City and County of Honolulu
650 South King Street, 3rd Floor
Honolulu, HI 96813

**Subject: Honolulu High-Capacity Transit Corridor Project
Final Environmental Impact Statement/ Additional Comments**

Dear Messrs. Matley and Yoshioka:

I am writing to comment on the letter sent to the Pacific Guardian Center (PGC) from the Department of Transportation Services (DTS), City and County of Honolulu, on June 11, 2010. PGC continues to support the concept of steel-on-steel rail transit for the City and County of Honolulu. We respectfully disagree with a number of the assertions of the letter regarding the project's impacts to the Dillingham Transportation Building and the Plaza within the PGC complex. Based on a review of the FEIS, we remain concerned that the location, size, and bulk of the proposed elevated guideway and Downtown Station as well as the high foot traffic to and from the station will have significant and detrimental impacts to the PGC and its tenants as described below.

Impacts to Dillingham Transportation Building

The Dillingham Transportation Building (DTB) is a National Historic Site. Any project receiving federal funding which impacts the DTB must comply with Federal Standards for Historic Buildings as administered by the Secretary of the Interior. The FEIS does not contain the signed Programmatic Agreement between the City and local consulting parties to resolve negative impacts to the DTB and other historic sites. For this reason we would urge the FTA to not accept the FEIS at this time.

The DTB is a 4-floor structure with window openings at 25, 35 and 45 feet above grade. According to the Plan and Profile drawings included in the FEIS (Appendix B, Drawing RP023), the underside of the elevated guideway would begin approximately 35 feet above grade and the parapet walls on each side of the guideway would extend to approximately 55 feet above grade, blocking a 20-foot high strip of the makai view from the building. The Downtown Station would have a roof structure extending to approximately 70 feet above grade, a mezzanine structure across Nimitz Highway 25 feet above grade and associated structures for elevators, escalators and stairways on both sides of Nimitz highway. We are concerned that the close proximity (40 feet) of the elevated guideway structure to the makai façade of the building and the equally close proximity (30-40 feet) of the Downtown Station entrance structure to the makai-Diamond Head

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corner of the building will block DTB tenants' makai views and significantly diminish the economic value of these spaces. We also remain concerned that noise impacts, particularly on the upper floors of the building, have not been adequately addressed by either the DEIS or the FEIS. Low parapet walls along the edges of the guideway proposed for noise mitigation will direct noise upward and away from ground level but we are concerned that the redirected noise will disturb and interrupt upper floor businesses and make it further difficult to attract and retain tenants in the affected spaces.

The June 11 letter indicated that the latest station entry design has been changed to direct "pedestrians approaching the entrance primarily through the Dillingham Transportation Building arcade". This represents a change from the scheme detailed in the DEIS (pedestrians walking the length of the plaza) and in our opinion creates a significant impact on the DTB. According to the FEIS (Figure 3-9), 4,690 riders are projected to enter and exit the Downtown station during the 2-hour peak period weekday mornings. We are very concerned about the impact of foot traffic of this magnitude on the arcade. Many of the ground floor tenants cater to Downtown workers for breakfast and lunch and utilize portions of the arcade for customer to sit and talk in a relatively secluded area. We are concerned that the increased foot traffic through the arcade created by the transit project will lead to a loss of tenants and rental income.

Impacts to Plaza

We have described the urban amenities and features of the plaza between the DTB and the PGC towers in a previous letter (January 30, 2009). According to the FEIS, the area of the plaza which would be appropriated for the mauka Downtown Station entrance has been increased from 2,400 sf to 3,000 sf. We have continuing concern with the DTS's assertion that the Downtown Station entrance "would not eliminate the open space or alter its use." The projected foot traffic to and from the Downtown station has been revised from 2,500 (DEIS Figure 3-10) in the 2-hour morning peak periods to 4,690 (FEIS Figure 3-9). As noted in the January 2009 letter, the vast majority of transit riders will use the mauka station entrance due to its direct access to the Central Business District. With the transit system operating daily from 4 a.m. to midnight (trains arriving every 3 - 10 minutes) we are concerned that PGC will require a significant increase in security personnel as well as maintenance staff to keep the plaza area safe and attractive for the use of our tenants. We are also concerned that with limited conveniences within the station (only one restroom, for example) transit riders will turn to PGC facilities (restrooms, drinking fountains and benches) for their needs, particularly during the afternoon rush hour when foot traffic will "bottleneck" on the plaza due to the limited capacity of the station entrance.

We are concerned that the open space of the plaza will be significantly reduced by the 3,000 sf station entrance and support buildings and that the use of the plaza will be changed from a private tenant amenity to a public thoroughfare. The water feature at the makai end of the plaza currently houses the DTB's only common trash enclosure. There is no available alternative location for a trash enclosure that is convenient to both the DTB and the 2 office towers. The water feature also screens off views of the roadway and masks traffic noise. Removal of this water feature and the landscaping behind it will open the plaza to the street noise of Nimitz Highway and significantly degrade the quality of the plaza.

Recommendations

We would not have the concerns mentioned above if the project was changed to light rail transit. We strongly urge the City to consider changing the project technology from "hot" third rail to overhead or underground power wire technology. This would enable a light rail transit system similar to those in use in Portland, Seattle and Phoenix with train operation either at grade or elevated as required by local conditions. This would give the City much greater flexibility in locating stations and routes, minimizing negative impacts associated with transit in urban areas. While an at-grade route on Nimitz Highway may not be advisable, locating an at-grade light rail

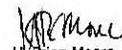
- 2 -

system closer to the center of the Downtown on either King or Hotel streets, offers greater convenience to riders and avoids the negative impacts to the PGC detailed above.

If the mauka entrance to an elevated Downtown Station must be located within the PGC property, we strongly urge the City to shift the entrance from the makai-Diamond Head corner of the plaza (as shown in FEIS Appendix B, Drawing RP023) to the Ewa side of Alakea Street. The accessory structures needed to bring transit riders from station level to the street could be incorporated into the lower floors of the makai office tower which are used mainly for parking. Concealing these accessory facilities within the makai tower would result in significantly less visual impact to the area and allow more flexibility in the capacity of stairways and escalators. The Ewa lane of Alakea Street (used for parking) could be used for a widened pedestrian walkway and the PGC parking entrance could be reconfigured to minimize pedestrian-vehicular conflicts.

Pacific Guardian Center sincerely thanks the City and County of Honolulu for this opportunity to offer our comments and recommendations.

Sincerely Yours,



Brian Moore
Asset Manager for Pacific Guardian Center

- 3 -

Record Date : 7/11/2013
First Name : asti
Last Name : piilika
Business/Organization :
Address :
Apt./Suite No. :
City :
State :
Zip Code :
Email :
Telephone :
Add to Mailing List :

Submission : The rail needs to go to UH Manoa. UH traffic is what causes rush hour congestion. To relieve it, the rail needs to go to UH. Otherwise it makes no sense to build it. Ala Moana shoppers are not going to use the rail.

Pil-1

Reply Requested :

Pil-1

The FTA and HART appreciate the commenter's interest in the Honolulu Rail Transit Project. Please see Common Response 11 in Section 5.2.4 of the Final Supplemental Environmental Impact Statement/Section 4(f) Evaluation [EIS/4(f)] regarding comments outside of the scope of the Supplemental EIS/ 4(f). Please see Common Response 2 about the cost of extending the Project to UH Mānoa.

UNIVERSITY OF HAWAII AT MĀNOA

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2540 Dole Street, Holmes Hall 383, Honolulu, Hawaii 96822-2382
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HART

July 17, 2013

*13 JUL 19 P2 :09

Mr. Ted Matley
FTA Region IX
201 Mission Street, Suite 1650
San Francisco, CA 94105

Mr. Daniel A. Grabauskas
Honolulu Authority for Rapid Transportation
City and County of Honolulu, 1099 Alakea Street, Suite 1700
Honolulu, HI 96813

Dear Sirs,

The DSEIS is a continuation of the environmental process *shibai* that has been going on in Honolulu since mid-2005 with the High Capacity Project. My comments are summarized starting on page 2. My qualifications, in brief, are provided below.

Dr. Panos Prevedouros, author of this submission, is professor of transportation engineering at the University of Hawaii at Manoa. Dr. Prevedouros earned his PhD in 1990 and his M.S. in 1987, both in Civil Engineering from Northwestern University, Evanston, IL (1987), and his Diploma in Engineering from Aristotle University, Greece (1986.) He is a registered Professional Engineer in the European Union.

Dr. Prevedouros is subcommittee chair of TRB in the area of traffic simulation (freeway operations) since 2006. Dr. Prevedouros was member of Oahu MPO Technical Advisory Committee in the late-1990s and is the principal investigator of several transportation research projects funded by Hawaii DOT, US DOT, OMPO and DOI.

Dr. Prevedouros has expertise in urban planning, traffic flow analysis and optimization, ITS, demand forecasting and evaluation of transportation alternatives, and sustainable infrastructure with emphasis on energy and impacts.

Dr. Prevedouros has published over 100 technical articles and reports, and co-authored the 2nd and 3rd editions of internationally adopted textbook Transportation Engineering and Planning (Prentice Hall, 1993 and 2001.)

Dr. Prevedouros has received several awards including Best Paper award on transportation noise, TRB, 1995 • Outstanding Faculty award, ASCE-Hawaii, 1996 • Van Wagoner award, ITE, 2005 • Freeway Operations Service award, TRB in 2009. • Honolulu Star Bulletin's one of the "10 People Who Made a Difference in Hawaii in 2008" • 2011 Sustainability Paper award, World Road Association • 2012 Honor Certificate for Public Service, Council of the City and County of Honolulu.

Renowned professor Bent Flyvbjerg of Oxford University has revealed fatal flaws in the planning process and the ethics of *The American Planning Association*. Here are five passages from his assessment.

- When Planners Lie with Numbers: Based on a sample of 258 transportation infrastructure projects worth US\$90 billion and representing different project types, geographical regions, and historical periods, it is found with overwhelming statistical significance that the cost estimates used to decide whether such projects should be built are highly and systematically misleading.
- Dr. Flyvbjerg's study documents a cost overrun of 45 percent for rail projects, 34 percent for bridges and tunnels, and 20 percent for roads.
- The implications of these findings are that (1) planners are doing an exceptionally poor job at costing major public works projects, sometimes perhaps intentionally, (2) this results in large scale waste of public money and violations of basic principles of democracy, and, (3) APA, as the main professional body for planners, has a responsibility to help rectify this situation.
- Several planners have written to support Dr. Flyvbjerg: "After having been involved with APA for several decades he cannot recall a single example of a planner being expelled from APA for ethical violations" was said to Dr. Flyvbjerg by a former APA president. This is not because planners are uniformly well-behaved, but because APA is in denial about the possibility of bad planning and malpractice.
- The APA is found to employ two well-known strategies for dealing with uncomfortable knowledge such as the revelation by Dr. Flyvbjerg: Denial and Diversion.

To recap: When it comes to very large infrastructure projects, rail projects in particular, planners tend to lie or use subpar methodology to estimate project costs and forecasts. They are not accountable to anyone for their errors, and the public is hurt by having to support poor projects. In some cases, planners help the client to deny opposition and divert the public's attention from the facts and primary objectives. All of the above are in abundance in Honolulu.

For example, the Alternatives Analysis of the Honolulu High Capacity Project was substantially deficient. I was one of the seven appointed members of the Honolulu City Council Transit Advisory Task Force. The task force voted 6-1 to approve the rail as the Locally Preferred Alternative which the Council approved and concluded the Alternatives Analysis. The descending vote was mine, as summarized in the attachment.

Denial and diversion is what current elected officials and their predecessors have been practicing since 2006. Denial of pure, direct and unbiased facts presented primarily by Cliff Slater of HonoluluTraffic.com and myself. Diversion by avoiding the painful deficiencies of rail in ridership, congestion relief and cost (all of these were sugar coated by the project's planners) and focusing on jobs, TODs and "the future of the island." There are dozens of better ways than elevated rail to invest five billion dollars on Oahu to create more jobs, better housing and set Oahu on the path to long term prosperity.

The Honolulu rail project's top-down, deceitful planning and environmental analysis in support of the project will be the laughingstock of the nation. Here is a brief record of accomplishments as of mid-2013:

- The project is about three years late.
- It has incurred tens of millions of dollars in extra charges due to rushed contracts.
- There was a costly (about \$150 Million mistake at the airport alignment) for which no one was held accountable.
- The Hawaii State Supreme Court unanimously determined that the project violated state law and was stopped in order to complete a proper archeological survey.
- Ansaldo's parent, Finmeccanica is in financial trouble and for years it's been trying to jettison Ansaldo. For years Ansaldo has been the most unreliable of all major rail manufacturers. But Ansaldo was Honolulu's choice and recipient of a \$1.5 Billion contract.
- HART erected 18 columns in the middle of (agricultural) land which it does not own.
- The project's financial plan uses *TheBus* capital funds and city Sewer Fund guarantees. This is ruinous to the financial well-being of the city.
- Hundreds of tons of steel rails were purchased by HART over a year ago and are rusting at Barbers Point Harbor.
- A federal judge found several deficiencies with the project and forced HART to prepare a Supplementary EIS.
- A 20 mile elevated linear project will be subject to a large number of eminent domain disputes resulting in long delays and large cost overruns.
- Hawaii federal court judges believe that the project violates its fundamental scope of connecting Kapolei to the UH-Manoa and Waikiki. The chosen route connects the TOD of Hoopili to Ala Moana Shopping Center.
- In the Draft SEIS the Beretania St. tunnel is deemed to be expensive although it offers a direct and far cheaper route to the UH-Manoa than the route HART prefers.

Pre-1

Pre-2

Pre-3

I am dismayed that the political, governmental and procurement system is so broken that the infliction of a transportation dinosaur at a stratospheric cost is pursued as a traffic congestion solution and an economic development tool for our city. After reading Dr. Flyvbjerg's analysis, I am less surprised that the people involved in this effort still call themselves "professional."

Sincerely,



Panos Prevedouros, Ph.D.
Professor of Transportation Engineering

Pre-1

As noted in Section 1.1 of the Final Supplemental Environmental Impact Statement/Section 4(f) Evaluation [EIS/4(f)], the Supplemental EIS/4(f) was prepared to address the Judgment and Partial Injunction Order of the United States District Court for the District of Hawai'i in HonoluluTraffic.com et al. vs. Federal Transit Administration et al. The scope of the analysis was limited to whether the Beretania Street Tunnel Alternative was feasible and prudent and whether the Project would "use" Mother Waldron Neighborhood Park under Section 4(f).

Pre-2

Please see Judge Mollway's comments and responses to Mol-3 and Mol-4.

Pre-3

The statement that the Beretania Tunnel Alternative is a "far cheaper route" than constructing the Project to the Ala Moana Center on the approved alignment is addressed on Common Response 2 in Section 5.2.4 of the Final Supplemental EIS/4(f).

UNIVERSITY OF HAWAII AT MĀNOA

Department of Civil and Environmental Engineering
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Telephone: (808) 956-7550, Facsimile: (808) 956-5014

March 9, 2007



Department of Transportation Services
City and County of Honolulu
650 South King Street, 3rd Floor
Honolulu, Hawaii 96813
Attn: Honolulu High-Capacity Transit Corridor Project
VIA email: mkaku@honolulu.gov

Dear Mr. Kaku:

As my comments on the Scoping Information Package of March 15, 2007, I attach my Report to the Honolulu City Council Transit Advisory Task Force dated December 1, 2006.

In my opinion, the most egregious violation of FTA's rules on alternative specification and analysis was the deliberate under-engineering of the Managed Lanes (ML) Alternative to a degree that brings ridicule to prevailing planning and engineering principles. For example, FTA guideline 2.4 item 2 states that "*Each alternative should be defined to optimize its performance.*"
[Source: http://www.fta.dot.gov/documents/Definitions_of_Alternatives.pdf]

The exact opposite was done. The Honolulu City Council did not reject a HOT expressway with express buses; the City Council rejected an alternative that was engineered to fail, and, it did fail by design. Therefore, the ML alternative must be correctly specified and fully assessed in the upcoming environmental assessment process.

Sincerely,

A handwritten signature in black ink, appearing to read 'Panos Prevedouros'.

Panos Prevedouros, Ph.D.
Professor of Transportation Engineering

cc: Ms. Donna Turchie
Federal Transit Administration, Region IX
201 Mission Street, Room 1650
San Francisco, CA 94105
VIA email: Donna.Turchie@fta.dot.gov

Record Date : 7/12/2013
First Name : Ben
Last Name : Robinson
Business/Organization :
Address :
Apt./Suite No. :
City :
State :
Zip Code :
Email :
Telephone :
Add to Mailing List :
Submission : Aloha!

I am writing in comment regarding the current planned rail route through Kakaako and a note of appreciation for the additional design work done for a Beretania Street tunnel alternative.

While in the future I would like to see an extension to the UH Manoa campus, I understand the need to work within fiscal constraints and the plan for transit-oriented development; to which Kakaako is a prime component.

I support the current rail route through Kakaako.

Reply Requested :

Rob-1

Rob-1

The FTA and HART appreciate the commenter's interest in the Honolulu Rail Transit Project. Please see Common Response 11 in Section 5.2.4 of the Final Supplemental Environmental Impact Statement/Section 4(f) Evaluation [EIS/4(f)] regarding comments outside of the scope of the Supplemental EIS/ 4(f). Please see Common Response 2 about the cost of extending the Project to UH Mānoa.

Record Date : 7/22/2013
First Name : robert
Last Name : rodman
Business/Organization :
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Apt./Suite No. :
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State :
Zip Code :
Email :
Telephone :
Add to Mailing List :

Submission :

COMMENT ON THE PROPOSED HONOLULU BERETANIA STREET TUNNEL EIS - July 22,2013

Submitted by: Robert Rodman - 55 S Kukui St D-2509, Honolulu HI 96813

At the beginning of this Mass Transit Project started, many professional traffic studies commissioned by the City showed that the only mass transit route which was found to reduce the gridlock on Hawai'i State's H-1 freeway was the rail route that went through Waikiki and ended up at the UH.

That's why Honolulu City Council approved the 30 mile 'Preferred Guideway Alignment' which included Waikiki and the UH in its routing. The City commissioned studies showed that mass transit routes which ended at the Ala Moana Shopping Center did NOT reduce H-1 gridlock. This is why so many Honolulu Citizens are protesting the present Rail System Routing. They rightly think that spending \$5+ Billion on a transit system that goes only to the Ala Moana Shopping Center and does NOT reduce H-1 grid-lock at all is sheer lunacy.

Publishing article after article and getting many letters written to the local newspapers for publication all repeatedly asserting the falsehood that the Rail Project ending at the Ala Moana Shopping Center will free up H-1 traffic jams and reduce traffic on there is a disservice to our community. There is a term for this type of activity - 'Brainwashing.' Perhaps now the time is ripe for a serious consideration of the greatly advanced technology of transit tunneling as being proposed under Beretania and how it can solve the visual and noise problems facing neighborhoods all along the Transit Route.

How is it that New York City can presently afford boring two new transit tunnels under Manhattan thru some of the hardest Granite stone on earth? The answer is that present tunneling is not like the tunneling of old.

Cutting a rail tunnel under urban Honolulu through sand, coral and lava would seem to be like cutting through jello compared to NYC's cutting a subway tunnel through Granite. Therefore, the project would take substantially less time and Honolulu's tunnel boring costs would be substantially lessened. To date no independent cost analysis of such a project has been undertaken by a reputable tunneling engineering company and certainly none has been published for an Editorial to base its assertions on. I personally have asked how much the tunneling would cost to one of the chief planners of this Honolulu project at Parsons Brinckerhoff and he indicated that they have never tried to determine the real cost of building a tunnel under Beretania over through Waikiki to the UH through sand and coral here in Honolulu.

It is a very attractive proposal to consider - the routing of a transit tunnel through Honolulu's dense neighborhood areas under Beretania, curving (under Thomas Square and the High School) over to a Ala Moana Shopping Center / Convention Center Station, continuing on under the Ala Wai Canal to a mid Waikiki Station and then on up to UH all without the daily incessant visual impacts and noise radiating out from the above ground "heavy rail line in the sky".

The LOUD noise that this train is going to produce will be directed upward by the 5 foot sound barrier that is proposed to be built of each side of the track support structure just as the sound enhancing 'box' of a guitar's body amplifies and projects the string's small vibration produced sound. As a result at ground level the rail train's wheel's noise will be muffled at ground level, but VERY LOUD in the upper floors of the nearby tower residences. This makes the system very unfriendly to live near.

To pay for the additional expense of building City Council's entire 'Preferred Guideway Alignment' now and solve the State Transportation headache of daily H-1 Traffic Jams, the Transit Authority should ask the Honolulu City Council to immediately ask the State Legislature to extend

Rod-1 The FTA and HART appreciate the commenter's interest in the Honolulu Rail Transit Project. The effects of the Project and alternatives on traffic congestion were addressed in the Honolulu High-Capacity Transit Corridor Project Final Environmental Impact Statement/Section 4(f) Evaluation [EIS/4(f)] issued in June 2010. Please see Common Response 2 in Section 5.2.4 of the Final Supplemental EIS/4(f).

Rod-2 Please see Common Response 6 in Section 5.2.4 of the Final Supplemental EIS/4(f).

Rod-3 The engineering issues related to the Beretania Street Tunnel Alternative are presented in Section 3.4 of the Final Supplemental EIS/4(f). The cost estimate for the Alternative is included in Section 3.5.4 of the Final Supplemental EIS/4(f). The cost of the proposed longer tunnel would be substantially greater than the cost for the Beretania Street Tunnel Alternative.

Rod-4 Noise impacts were addressed in the Honolulu High-Capacity Transit Corridor Project Final Environmental Impact Statement/Section 4(f) Evaluation issued in June 2010. Please see Common Response 2 in Section 5.2.4 of the Final Supplemental EIS/4(f) regarding available funding.

the 1/2% Oahu sales tax for 2 or 3 or 5 years, and also ask that the Transit Project be given the 10% the State is raking off the top of these Mass Transit dedicated funds - some \$350 to \$500 million - supposedly to pay for the State's collection costs, which have proven to be nil. The combined moneys collected via these methods will pay for the building of the entire line with the last 6 miles underground in a tunnel.

Rod-4
(cont

Oahu needs a Mass Transit System that is "worth the cost". Routing a technologically advanced transit tunnel under Urban Beretania Boulevard, curving over to the Shopping and Convention Center, extending under Waikiki and on to the UH just might be the win-win System we've all been looking for to really solve a major part of Oahu's existing and future Traffic Mess.

Reply Requested :

I sent in comments (via you email address) to the **Rail Tunnel EIS** on July 22, 2013 and have not received a confirmation that those comments were received and are being considered.

You have too many stations on this rail line. Your current plan for all the 21 stations on this line is like getting on an elevator and a kid has pressed all the buttons causing the elevator to stop at every floor to the top floor and then on the way down repeat the process by stopping at every floor down to the lobby - on every trip. Who likes that?? Are you providing for a couple EXPRESS trains an hour? Twenty miles should not take more than 25 - 27 minutes.

Rod1-1

Rod1-1

The FTA and HART appreciate the commenter's interest in the Honolulu Rail Transit Project. Comments on the number and location of stations and operating plans were addressed in the Honolulu High-Capacity Transit Corridor Project Final Environmental Impact Statement/Section 4(f) Evaluation issued in June 2010.

Please respond.

Robert Rodman

From: John Russel
Sent: Monday, July 22, 2013 1:46 PM
To: info@HonoluluTransit.org
Subject: Questions Re: Draft Supplemental Environmental Impact Statement Section 4(f) Evaluation

July 22, 2013

Re: Draft Supplemental Environmental Impact Statement
Section 4(f) Evaluation of Honolulu Rail Transit Project

To whom it may concern,

My main concern is the rail project's effect on traffic congestion.

I have heard rail's effect on traffic congestion described in percentages based on change in vehicle hours of delay but am unable to adequately grasp what the project's impact on drivers will be like. With that in mind I ask that rail's effect on travel by car be described in minutes required to drive from one place to another on weekday mornings

1

I would first like to establish a baseline for comparison. The rail EIS projected travel speeds and travel times for trips made by city bus if rail is built. I request that the same or similar methods used in the EIS be used to provide travel time in minutes for travel by car in the future. I have not detailed exact starting points in my questions below because I do not know how much specificity can be accommodated. Information I've seen in the EIS used general locations, for example Waianae to Downtown.

My questions are as follows:

- 1) What are the current travel times for cars leaving Ewa Beach, Kapolei, Waianae, Mililani, Waipahu, Pearl City and Aiea between 6 a.m. and 7 a.m. that are traveling to Downtown Honolulu? If it is unclear, I am requesting separate travel times by car for each start point.
- 2) What are the current travel times for cars leaving Ewa Beach, Kapolei, Waianae, Mililani, Waipahu, Pearl City and Aiea between 6 a.m. and 7 a.m. that are traveling to the Ala Moana Shopping Center?
- 3) What are the current travel times for cars leaving Ewa Beach, Kapolei, Waianae, Mililani, Waipahu, Pearl City and Aiea between 6 a.m. and 7 a.m. that are traveling to the University of Hawaii at Manoa?
- 4) In the year, 2030, if no rail project is built, what would travel times be for cars leaving Ewa Beach, Kapolei, Waianae, Mililani, Waipahu, Pearl City and Aiea between 6 a.m. and 7 a.m. that are traveling to Downtown Honolulu?
- 5) In the year, 2030, if no rail project is built, what would travel times be for cars leaving Ewa Beach, Kapolei, Waianae, Mililani, Waipahu, Pearl City and Aiea between 6 a.m. and 7 a.m. that are traveling to the Ala Moana Shopping Center?
- 6) In the year, 2030, if no rail project is built, what would travel times be for cars leaving Ewa Beach, Kapolei, Waianae, Mililani, Waipahu, Pearl City and Aiea between 6 a.m. and 7 a.m. that are traveling to the University of Hawaii at Manoa?
- 7) In the year, 2030, if the rail project ending at Ala Moana Shopping Center as presently proposed is built, what would travel times be for cars leaving Ewa Beach, Kapolei, Waianae, Mililani, Waipahu, Pearl City and Aiea between 6 a.m. and 7 a.m. that are traveling to Downtown Honolulu?
- 8) In the year, 2030, if the rail project ending at Ala Moana Shopping Center as presently proposed is built, what would travel times be for cars leaving Ewa Beach, Kapolei, Waianae, Mililani, Waipahu, Pearl City and Aiea between 6 a.m. and 7 a.m. that are traveling to Ala Moana Shopping Center?
- 9) In the year, 2030, if the rail project ending at Ala Moana Shopping Center as presently proposed is built, what would travel times be for cars leaving Ewa Beach, Kapolei, Waianae, Mililani, Waipahu, Pearl City and Aiea between 6 a.m. and 7 a.m. that are traveling to the University of Hawaii at Manoa?
- 10) In the year, 2030, if the Beretania St. tunnel alternative rail route is built, what would travel times be for cars leaving Ewa Beach, Kapolei, Waianae, Mililani, Waipahu, Pearl City and Aiea between 6 a.m. and 7 a.m. that are traveling to Downtown Honolulu?
- 11) In the year, 2030, if the Beretania St. tunnel alternative rail route is built, what would travel times be for cars leaving Ewa Beach, Kapolei, Waianae, Mililani, Waipahu, Pearl City and Aiea between 6 a.m. and 7 a.m. that are traveling to the Ala Moana Shopping Center?

Rus-1

The FTA and HART appreciate the commenter's interest in the Honolulu Rail Transit Project. The impacts of the Project and alternatives on traffic congestion were addressed in the Honolulu High-Capacity Transit Corridor Project Final Environmental Impact Statement/Section 4(f) [EIS/4(f)] Evaluation issued in June 2010. As noted in Section 1.1 of the Final Supplemental EIS/4(f), the scope of the analysis was limited to whether the Beretania Street Tunnel Alternative was feasible and prudent and whether the Project would "use" Mother Waldron Neighborhood Park under Section 4(f).

Rus-1

12) In the year, 2030, if the Beretania St. tunnel alternative rail route is built, what would travel times be for cars leaving Ewa Beach, Kapolei, Waianae, Mililani, Waipahu, Pearl City and Aiea between 6 a.m. and 7 a.m. that are traveling to the the University of Hawaii at Manoa?

I now have some questions related to the number of cars rail will take off the road by converting former drivers into rail transit users.

13) Regardless of the total number of trips each person makes and counting each person no more than once, how many individual people, who would otherwise drive, are projected to instead choose to switch to rail one or more times on an average weekday in the year 2030?

14) If the Ala Moana Shopping Center route is completed, in the year 2030, how many cars will rail remove from the road, not in the course of the entire day, but in the weekday hours between 6 a.m. and 8 a.m. only.

15) For the Ala Moana Shopping Center route, for each station on the route, please provide the number of former drivers that will be boarding rail instead of driving their cars in the weekday hours between 6 a.m. and 8 a.m. in the year 2030. And please specify whether they are boarding eastbound trains or westbound trains. For example, the answer I am looking for would look something like, "the Pearlridge station would have x number of converted drivers board eastbound trains between 6 a.m. and 8 a.m. and y number of converted drivers board westbound trains between 6 a.m. and 8 a.m.

16) Relating to the request for information immediately above, how many former drivers will disembark from eastbound trains at each station between 6 a.m. and 8 a.m.? And how many will disembark from westbound trains during those same hours?

17) If the Beretania St. tunnel alternative rail route is completed, in the year 2030, how many cars will rail remove from the road, not in the course of the entire day, but in the weekday hours between 6 a.m. and 8 a.m. only.

18) For the Beretania St. tunnel alternative route, for each station on the route, please provide the number of former drivers that will be boarding rail instead of driving their cars in the weekday hours between 6 a.m. and 8 a.m. in the year 2030. And please specify whether they are boarding eastbound trains or westbound trains. For example, the answer I am looking for would look something like, "the Pearlridge station would have x number of converted drivers board eastbound trains between 6 a.m. and 8 a.m. and y number of converted drivers board westbound trains between 6 a.m. and 8 a.m.

19) Relating to the request for information immediately above, how many former drivers will disembark from eastbound trains at each station between 6 a.m. and 8 a.m.? And how many will disembark from westbound trains during those same hours?

20) With the Ala Moana Shopping Center route, in the year 2030, on weekdays between the hours of 6 a.m. and 8 a.m., how many converted drivers will board eastbound trains from the five west most stations of the route and travel to the downtown station or beyond?

21) With the Beretania St. tunnel alternate route, in the year 2030, on weekdays between the hours of 6 a.m. and 8 a.m., how many converted drivers will board eastbound trains from the five west most stations of the route and travel to the Fort Street station or beyond?

I also have a question regarding the effect of transit-oriented development on traffic.

3

Rus-2

Table 3 of the Draft Supplemental EIS/4(f) includes general travel information related to the Beretania Street Tunnel Alternative. As stated in section 3.5.1, the Beretania Street Tunnel Alternative would serve the same corridor and generate similar transit ridership and benefits to the Project (see Table 3). The Beretania Street Tunnel Alternative would include additional stations and directly serve UH Mānoa, while requiring a bus transfer to Ala Moana Center. The approved Project would directly serve Ala Moana Center and requires a bus transfer to UH Mānoa. These transfers are reflected in the transit travel times presented in Table 3.

Rus-2

22) Has future transit-oriented development around rail stations been accounted for in the traffic congestion projections from the rail project EIS?

Rus-3

Rus-3 The indirect and cumulative effects of the Project on transportation were addressed in Section 3.6 of the Final EIS/4(f).

23) If transit-oriented development around rail stations has not been accounted for in traffic congestion projections, is it possible that such development could increase traffic in the year 2030 beyond what has been projected for either or both the Ala Moana Shopping Center Route and the Beretania St. tunnel alternative route?

Final question.

24) Is there a difference in the way questions are handled as part of the EIS process and how they are handled outside of the process? By this I mean, are there questions that you are required to answer as part of the EIS process that you would be able to ignore or answer less completely if asked a month from now? Or is the only difference that questions asked as part of the EIS process become attached to the EIS while questions asked outside of the EIS process, while receiving the same answers, are not published with the EIS?

Rus-4

Rus-4 As discussed in section 1.1 of the Draft Supplemental EIS/4(f), the scope of the current NEPA review is limited to the analysis of whether the Beretania Street Tunnel Alternative is feasible and prudent and the analysis of whether the Project will "use" Mother Waldron Neighborhood Park under Section 4(f) of the Department of Transportation Act. Comments on these issues require written responses in this Final Supplemental EIS/4(f). The deadline for submitting comments on the Draft Supplemental EIS/4(f) was July 22, 2013, although comments submitted after this deadline are also addressed in the Final Supplemental EIS/4(f). Although they will not receive written responses in this Final Supplemental EIS/4(f), additional comments and questions on the Project may be submitted to HART at any time.

My aim is to determine if a window for getting information on the project will be partially closing after this period in which questions and comments for the supplemental EIS are accepted is ended.

Thank you

John
Oahu resident concerned about traffic

Record Date : 7/11/2013
First Name : Ken
Last Name : Settsu
Business/Organization : Retired Nuclear Engineer
Address :
Apt./Suite No. :
City :
State :
Zip Code :
Email :
Telephone :
Add to Mailing List :
Submission :

Now that I see the proposed Beretania Street Tunnel, it appears that the tunnel cannot physically be built for the paltry sum of \$960M. In the late 1970's or early 1980's, when trying to build a RAIL tunnel under Chinatown, the flow of water from Kapalama Canal could be stopped but the flow of water from the underground stream parallel to Kapalama Canal could not and the cofferdams would keep filling up with water. Building the Beretania Street Tunnel requires damming/diverting/reducing the flow in the Kapalama Canal in order to dig and insert a stabilized tunnel section. However, the parallel underground stream cannot be dammed/diverted/reduced unless we dig up from Honolulu Harbor to Nuuanu until we find the source of the underground stream and then dam/divert/reduce the flow of the underground stream in order to dig up and insert a stabilized tunnel section. That was one consideration to install the RAIL above grade. The \$960M cost estimate to build the Beretania/King St. Tunnel appears to be very small considering the eminent domain requirements to possibly remove multi-million dollar condominiums/historical buildings such as Park Place, Chinese Cultural Plaza, Wo Fat's, St. Andrew's Cathedral, etc. to find the underground stream. If the Beretania/King Street Tunnel is built, won't this adversely affect traffic flow along the Beretania/King St. major east-west arterials in/near the CBD and Chinatown for a long time? Won't the State Capitol underground parking, possibly Kawaihoo Church Iwi, etc. also be adversely affected? It appears that the majority of transit trips from the Ewa plain are now to Pearl Harbor. Smart buses would run past Pearl Harbor requiring people to backtrack to work! An elevated monorail to UH Manoa or Waikiki from Ala Moana is a future TOD possibility.

Set-1

Set-2

Set-3

- Set-1 The cost estimate for the Beretania Street Tunnel Alternative, as detailed in Section 3.5.4 of the Draft Supplemental Environmental Impact Statement/Section 4(f) Evaluation [EIS/4(f)], these cost estimates include consideration of groundwater conditions. The tunnel would generally travel below Beretania Street and require limited right-of-way acquisition.
- Set-2 Tunnel construction would affect traffic during the construction phase, as discussed in the construction sub-section of Section 3.5.3 of the Draft Supplemental EIS/4(f). After completion, the alternative would not have a substantially different effect on traffic from the Project.
- Set-3 Section 3.4 of the Final Supplemental EIS/4(f) has been updated to clarify that the depth of the tunnel would increase in the vicinity of the Hawai'i State Capitol to avoid conflicts with existing vehicle access to the Capitol Building's parking garage.

Reply Requested :

Cliff Slater
3105 Pacific Hts Rd
Honolulu Hawaii 96813

July 22, 2013.

Mr. Ted Matley,
FTA Region IX,
201 Mission Street, Suite 1650
San Francisco, CA 94105

Mr. Daniel A. Grabauskas
Honolulu Authority for Rapid Transportation
City and County of Honolulu,
1099 Alakea Street, Suite 1700
Honolulu, HI 96813

Dear Mr. Matley:

Our comments on the 2013 Draft Supplemental EIS for the Honolulu rail project

The following are our comments on the 2013 Draft Supplemental Environmental Impact Statement (DSEIS) for the rail project:

A. Issuance of the DSEIS was improper

Your 2013 Draft Supplemental Environmental Impact Statement (DSEIS), p. 1, states:

A separate evaluation is underway related to the identification of previously unidentified potential TCPs, as required in the Project's Section 106 Programmatic Agreement. Any identified TCPs would be evaluated in accordance with 36 CFR 800 and any use would be documented in a supplement to the Project's Record of Decision. DSEIS p. 1.

The evaluation of potential TCPs requires a 4(f) analysis and should be so described in the 4(f) section of the DSEIS. Further, the issuance of the DSEIS prior to completion of identification of TCPs is premature and also improper.

B. Failure to "rigorously explore" alternatives

Typical of the City and HART's handling of alternatives in the entire environmental process since its inception, is the lack of any effort in the DSEIS to examine alternatives in dealing with both the avoidance of Mother Waldron Park, and modifications of the Beretania Street Tunnel route.

1. Mother Waldron park could be avoided by using one of two alternate routes:
 - a. Changing the current route to continue along Ala Moana Boulevard, instead of turning along Halekauwila Street, and turning up Ward Avenue to unite with the current Project route at approximately *Ross Dress for Less*.

Sla-1

Please see Common Response 4 in Section 5.2.4 of the Final Supplemental Environmental Impact Statement/Section 4(f) Evaluation [EIS/4(f)] regarding the Traditional Cultural Properties analysis.

Sla-1

Sla-2

The Draft Supplemental EIS/4(f) documents the reconsideration of the determination that the Project will not constructively use Mother Waldron Park, taking full account of the evidence of the Project impacts on the park. The November 1, 2012 District Court Order states that "If Defendants conclude that the Project will, in fact, constructively use Mother Waldron Park, they must seek prudent and feasible alternatives to such use, or otherwise mitigate any adverse impact from constructive use of the park." District Court Order on Cross Motions for Summary Judgment at 20-21. Please see Common Response 7 in Section 5.2.4 of the Final Supplemental EIS/4(f) regarding impacts to Mother Waldron Park.

Sla-2

Under 23 CFR 774.3(a)(1), an evaluation of avoidance or feasible and prudent avoidance alternatives is required if the alternative results in a use of any Section 4(f) resource. FTA has determined the Project does not use or constructively use Mother Waldron Neighborhood Park and Playground. Therefore, no avoidance alternative is required. Even so, Section 4.3 the Final Supplemental EIS/4(f) also includes an evaluation of alternatives that would avoid any impact on Mother Waldron Park and concludes that the Queen Street Shift Alternative would use Section 4(f) properties.

<p>b. Changing the current route to continue along Ala Moana Boulevard, instead of turning along Halekauwila Street, and turning up Kamakee Street (a large parking lot is at the makai/Ewa corner) and joining the current Project route at Queen and Kamakee Streets, the makai/Koko Head corner of which is a landscaped area. Both ends of Kamakee Street thus allow relatively shallow turns onto Kamakee and Queen Streets.</p>	<p>Sla-2 (cont.)</p>	<p>Sla-3</p>	<p>Please see Common Response 3 in Section 5.2.4 of the Final Supplemental EIS/4(f)</p>
<p>2. The Beretania Street Tunnel Alternative could be modified by shortening the current route to begin at the junction of Farrington Highway and Fort Weaver Road, the Mauka/Ewa corner of which consists of empty fields suitable for a large parking area.</p>		<p>Sla-4</p>	<p>Please see Common Responses 1 and 2 in Section 5.2.4 of the Final Supplemental EIS/4(f).</p>
<p>This would reduce the Beretania Tunnel Alternative cost by approximately \$600 million. The reduced cost added to the advantage of avoiding the Downtown historic waterfront area would make this alternative preferable to the present Project route.</p>	<p>Sla-3</p>	<p>Section 3.5.4 of the Final Supplemental EIS/4(f) establishes that the cost of the extension is not within the available funds for the Project, no other funding sources have been identified, and that it is not proposed as part of the Project. The discussion was expanded in the Final Supplemental EIS/4(f) because several comments on the Draft Supplemental EIS/4(f) recommended including the extension to UH Mānoa as part of the Project.</p>	
<p>C. <u>References to “planned extensions” should not be considered in the DSEIS</u></p>		<p>The Final EIS/4(f) was not required to include future extension of the Project in the Project Description. See, November 1, 2012 Order on Cross Motions for Summary Judgment at 41-43. The District Court stated: “The rail project as defined in the FEIS, running from Kapolei to the Ala Moana Center, satisfies the independent utility test. While it is true that future extensions to Waikiki and UH may not have independent utility, Plaintiffs’ challenge is not to an EIS dealing with those extensions and so the court need not address the independent utility of speculative future developments. The record amply supports the conclusion that the route in the FEIS will serve a purpose even if the proposed extensions are never built. AR 247at 791 (FEIS explaining that planned extensions were not included because no funding had been identified for them, but that the rail project had logical termini and independent utility from any extensions that may be constructed in the future); AR 9556 at 9568 (Ala Moana Center is served by more than 2,000 weekday bus trips and visited by more than fifty-six million shoppers annually).” Order on Cross-Motions for Summary Judgment at 42-43.</p>	
<p>The DSEIS, Table 3, compares the effectiveness of the Project, the Beretania Street Tunnel Alternative, and the Project with Planned Extensions.</p>	<p>Sla-4</p>	<p>Please see the response to Judge Mollway’s comments (Mol-3 and Mol-4).</p>	
<p>HART forecasts more riders for The Beretania Tunnel Alternative than it does for the Project. It is unreasonable to even mention the Extensions since they are highly unlikely to ever be built as Hawaii’s Chief Federal District Court Judge Mollway opined on behalf of the entire Court in her comments on the DSEIS.</p>		<p>Sla-5</p>	<p>Please see Common Response 10 in Section 5.2.4 of the Final Supplemental EIS/4(f) regarding karst formations. Comments on the extension to UH Mānoa were addressed in Section 8.6.2 of the Final EIS/4(f).</p>
<p>HART tells us that the Extensions would cost <u>an additional \$4 billion</u> and Senator Daniel Inouye is no longer with us. Further, the 80 percent increase in costs would only result in a 28 percent increase in riders. (FEIS, p. 3-75.)</p>	<p>Sla-6</p>		<p>Please see Common Response 6 in Section 5.2.4 of the Final Supplemental EIS/4(f)</p>
<p>The “planned extensions” referenced in the Final EIS were not subject to environmental analysis in that document. They should have been analyzed in the Final EIS because there have been many instances of the City/HART alluding to constructing these extensions in the future. Had these extensions been examined for their environmental impacts from rail, the City would have been faced with significantly damaging two major karst systems, the Ewa and the Moili’ili systems (see endnotes). As it is, there are no mentions of karsts either in the Final EIS or the DSEIS.</p>		<p>D. <u>The Beretania Tunnel Alternative offers the “least overall harm”</u> <i>A least overall harm analysis balances these factors to eliminate the alternative(s) that, on balance, present the greatest harm in light of the Section 4(f) statute’s preservationist perspective.</i> DSEIS, p. 11.</p>	

HART's analysis fails in its attempt to portray the Project as being the least harmful to our environment. To put it in perspective, the 100 year-old Outdoor Circle, Hawaii's oldest environmental organization, described the Project as being "the biggest threat to Oahu's landscape in the past 100 years."

HART skews its analysis of the threat that the Project poses by merely using quantitative analysis rather qualitative. By just using quantities it includes virtually irrelevant 50-year old tear-downs as being historic sites comparable to the Dillingham Transportation Building, the Chinatown Historic District, and other significant buildings in our historic waterfront area. This is nonsensical.

Further, in the DSEIS it states:

Overall, the Beretania Street Tunnel Alternative is located in an area with a lower potential to encounter archaeological resources and burials than the Project; however, the alignment, station locations, and portal locations for a tunnel are much less flexible than the column locations for an elevated guideway. As a result, the potential impact at the portals and stations is higher for the Beretania Street Tunnel Alternative than for the Project, which would disturb a limited area at column footings and stations. The Project would disturb 8 acres of land for column foundations, utility relocations, repaving, and elevated stations, which is 5 acres less than the Beretania Street Tunnel Alternative.
DSEIS, p. 58.

This totally ignores that the whole waterfront segment would have supporting pillars almost twice the square area of the Tunnel Alternative and, in addition, those pillars will sit upon pile caps of an approximate size of 42' x 12' x 5', which in turn will be capping three to five pillars underneath it.

In short, any harm to the historic properties and burial sites along the Beretania Tunnel Alternative cannot begin to compare to the harm that the present Project would do to our historic waterfront area.

Table 3 compares effectiveness of the Project, the Beretania Street Tunnel Alternative, and the Project with Planned Extensions. The tunnel option forecasts more riders than does the Project. It is unreasonable to even mention the Extensions since they are highly unlikely to ever be built as the Hawaii Federal Judges' letter mentioned earlier attests to. Further, the 80 percent increase in costs to build the extensions would only result in a 28 percent increase in riders. (FEIS, p. 3-75.)

Sincerely,



Sla-6
(cont.)

Sla-7

As discussed under the Archaeology sub-heading in Section 3.5.3 of the Final Supplemental EIS/4(f), archaeological studies have been completed for the Project as required by the programmatic agreement among FTA, the City, the U.S. Navy, the SHPO, and the Advisory Council on Historic Preservation. The design of the Project has been modified to avoid all previously identified human remains.

Sla-7

The Archaeological Inventory Surveys are now complete and accepted by the SHPO. The City has determined that the Project will avoid impact to any burials. The Final Supplemental EIS/4(f) has been updated to reflect the completion of these studies. Because the Project will have no impacts on burials, the Beretania Tunnel Alternative would not reduce any impacts on burials. In fact, the alignment, station locations, and portal locations for a tunnel are much less flexible than the column locations for an elevated guideway. As a result, the potential impact at the portals and stations is higher for the Beretania Street Tunnel Alternative than for the Project. As stated in Section 3.5.3, the Beretania Street Tunnel Alternative would disturb 13 acres compared to the Project's 8 acres. There would be no pile caps because the Project will use drilled-shaft foundations.

Sla-8

Sla-8

As discussed above, Table 3 and the expanded analysis in Table 9 of the Final Supplemental EIS/4(f) include data on potential future extension of the Project from Ala Moana Center to UH Mānoa as a point of reference and in response to comments received on the Draft Supplemental EIS/4(f). The extension from Ala Moana Center to UH Mānoa would result in a 10-percent increase in rail boardings and 12-percent increase in user benefits compared to the Project (Table 3) for a 16-percent increase in cost (Table 9). This compares to the Beretania Street Tunnel Alternative which would provide a 1-percent increase in rail boardings and 2-percent decrease in user benefits compared to the Project with a 19-percent increase in cost. See response Sla-3, which addresses cost issues.

Endnotes:

A. Moiliili Karst

1. http://www.honolulutraffic.com/Technical_reports/archaeological_resources.pdf
2. http://www.honolulutraffic.com/Admin_Record/Administrative_Record_rev_2.28.12/Administrative_Record_Volumes_1-11/Vol002_AR00028614/AR00037676.pdf p. 4-72 (AR00037785)
3. <http://www.caves.org/pub/journal/PDF/V60/V60N3-Halliday.pdf>
4. <http://www.caves.org/section/ccms/wrh/>
5. <http://totakeresponsibility.blogspot.com/2012/12/moiliili-karst-moiliili-water-cave.html> Peter T. Young, former head of DLNR.

B. Ewa Karst

PROPOSED AMENDMENT	RESPONSE
10. (B) Ewa Plains Karst Water System. Recognize in the EDP that the Ewa Plain's water system is an important hydrological, geological and cultural feature with possible hazards that may need mitigation.	<ul style="list-style-type: none">• The proposed 'Ewa DP adds a policy protecting endangered fish and invertebrates present in sinkholes such as Ordy Pond.• It is not clear what specific policies or guidelines are desired beyond the existing and proposed policies protecting natural, cultural, and historic resources in 'Ewa and guarding and conserving the 'Ewa nonpotable aquifer.

1. http://dev.honoluluodpp.org/Portals/0/pdfs/planning/ewa/ewa5vr/130328_DPPT_oZPC.pdf page 7 of 9.
2. <http://www.honolulustransit.org/media/50597/20111206-aisp-wofh-sec3.pdf> p. 35.
3. http://ewaplainsprograms.weebly.com/uploads/1/5/0/6/15066970/rare_native_plant_stalls_land_plans_for_kalaeloa.pdf
4. https://gsa.confex.com/gsa/2003SC/finalprogram/abstract_48485.htm
5. <http://www.koolina.com/storytellers/unearthing-the-past>
6. Aila letter: <http://www.honolulustransit.org/media/81727/20120420-letters-traditional-cultural-properties-analysis.pdf>

Record Date : 7/17/2013
First Name : norm
Last Name : takahashi
Business/Organization :
Address :
Apt./Suite No. :
City :
State :
Zip Code :
Email :
Telephone :
Add to Mailing List :
Submission :
Reply Requested :

Why not have dedicated vans that loop between Ala Moana and U.H. for free transportation for student/teachers, etc. that have a rapid transit pass or transfer? Thus, no need for any further rails to get to U.H.

Tak-1

Tak-1

The FTA and HART appreciate the commenter's interest in the Honolulu Rail Transit Project. As discussed in Common Response 2 in Section 5.2.4 of the Final Supplemental Environmental Impact Statement/Section 4(f) Evaluation, funding is not available either to extend the Project to UH Mānoa or to construct the Beretania Tunnel Alternative to terminate at UH Mānoa.

Record Date : 7/12/2013
First Name : Toshi
Last Name : Takata
Business/Organization : Attny-at-Law
Address :
Apt./Suite No. :
City :
State :
Zip Code :
Email :
Telephone :
Add to Mailing List :

Submission : The rail route, as planned, will not address the traffic problem it is supposed to help alleviate. It will instead best serve those powerful interests who stand to benefit greatly on rail related development along its present ill-conceived Kakaako alignment. Unless the more effective Beretania alternative, that goes all the way to UH is adopted; it cannot even begin to justify the huge costs involved that ultimately only benefit such a relatively small, select group. If the voices of reason do not prevail, I pray that the hard punch of reality will stop this gravy train dead in its tracks before it costs us anymore - in \$s as well as just plain common sense faith & credibility in our public officials for us non-rail affiliated taxpayers.

TakT-1

TakT-1

The FTA and HART appreciate the commenter's interest in the Honolulu Rail Transit Project. As discussed in Common Response 2 in Section 5.2.4 of the Final Supplemental Environmental Impact Statement/Section 4(f) Evaluation, funding is not available either to extend the Project to UH Mānoa or to construct the Beretania Tunnel Alternative to terminate at UH Mānoa. See Common Response 6 regarding least overall harm.

Reply Requested :
Attachments :

Record Date : 7/14/2013
First Name : Robert
Last Name : Tellander
Business/Organization :
Address :
Apt./Suite No. :
City :
State :
Zip Code :
Email :
Telephone :
Add to Mailing List :

Submission :

A SHIFT IN THE HART TO A NEEDED TRANSPORTATION SYSTEM

From the very inception of HART, the goal was a development scheme, not a transportation system. Consequently, the large landholders hoped to turn fallow plantation land into a viable "second city" until it became impossible to move from West Oahu to downtown in less than two hours one-way.

The problem was Pearl Harbor—a military enclave—that for security reasons was impenetrable by civilian traffic. Squeezed by the bulge of the harbor and the developed mauka settlements, an urban problem emerged that forced HART to create an alternative that would carry larger numbers of residents at a faster rate into the First City. The solution became a "high speed" elevated rail system that would carry one from Kapolei to Ala Moana Center in 90 minutes—not exactly high speed, but at least a commuter did not have to waste costly gasoline and undergo a daily stress test.

After being opposed and its strongest supporters politically deposed, sheer desperation has brought closure, and HART is now a reality. However, it is not the solution it was promoted to be but the start that triggers another set of problems. You cannot dump that many persons by rail in a space that cannot accommodate them, just because they arrived there. Vision demands that we create a viable and useful transportation system, not an heroic solution to one problem that frustrates developers.

Such transportation development projects put the vehicle solution before the common good.

Consequently, we need a dispersion and delivery system that makes life better in Honolulu rather than one that shifts the expectations of developers upon the ordinary citizens who must pay to satisfy their needs in a zero-sum game. Therefore, the end-game needs to be developed and explored and made part of the total complex of rail transit on Oahu.

In this light, it becomes apparent what is needed is three loop lines of light rail: (1) In Waikiki, the economic "cash cow" of the local economy; (2) To UH, Manoa, the human development center of our future, and (3) In Downtown, the administrative center of our state. These light rail lines, along the left-hand curb lane, raised six inches above the existing road bed are loop rail lines and double as bike paths that flow in the reverse direction so bicyclists may yield when they encounter on-coming trains.

The light rail terminals will have two locations: (1) At Kalakaua and the Ala Wai Canal opposite the Convention Center in the space currently occupied by a Recycling Depot and a homeless camp, and (2) At Aala Park where King and Beretania intersect.

THE WAIKIKI LIGHT RAIL LOOP

The Waikiki Loop line would run down the makai side of the Ala Wai Canal to Ala Moana Blvd. mauka to Kalakaua then Diamond Head to Kapahulu then mauka to Ala Wai Blvd and Ewa back to the terminal at Kalakaua bridge. With stops at all major hotels with on-board mounted iPads to inform hotel staff which guests and how many would be arriving, hotels then greet and collect their guests with their luggage and deliver them to their respective hotel rooms. Hospitality now becomes a uniquely personal Aloha service. (Triple parking buses will no longer block the traffic flow on Kalakaua Avenue, and destroy the Spirit of

Tel-1

Tel-1

The FTA and HART appreciate the commenter's interest in the Honolulu Rail Transit Project. Alternatives to the Project were addressed in the Honolulu High-Capacity Transit Corridor Project Final Environmental Impact Statement/Section 4(f) Evaluation issued in June 2010.

Aloha.) Since the Waikiki Loop Rail operates in a counter-clockwise direction, multiple trains follow each other in ten minute intervals. (Local residents may purchase year long transit passes so they do not need an automobile and a parking space to move about their community.)

THE UH, MANOA LIGHT RAIL LOOP

The UH, Manoa light rail loops clockwise from the terminal at the Convention Center and moves Diamond Head and then mauka crosses Kapiolani into Hauoli to Citron and then Ewa to Kuikahi with a mauka curve into Punahou. At Wilder it turns Diamond Head to Metcalf where it moves mauka up the grade to University Avenue. At the University it turns makai down University Avenue to the Ala Wai Canal and turns Ewa to return to the terminal.

Like the other loops, every ten minutes another train follows behind the other and the raised glide path is used by on-coming bicyclists who pull aside in the face of on-coming trains. This loop serves most of the major private schools in addition to the UH, Manoa.

THE DOWNTOWN LIGHT RAIL LOOP

To resolve the "security risk" concerns of those in the Federal Building where the elevated rail was scheduled to run down Halekauwela, we terminate the elevated rail at Aala Park and transfer passengers onto awaiting light rail trains who want to go downtown or to UH, Manoa, and the HART slopes down to ground level line and travels along the curb mauka lane along the Nimitz Hwy and forks onto Ala Moana and terminates at the Convention Center at the ground level carriage entrance at Atherton and Kapiolani. Tourists headed for Waikiki Hotels transfer through an underground passage with moveable sidewalks to reach their awaiting tram at the light rail terminal on the Diamond Head side of Kalakaua. (With this configuration, a rail bridge parallel to Kalakaua would need to span the Ala Wai Canal and connect with the loop heading Ewa down the other side of the Canal to Ala Moana that would curve Diamond Head over the existing Kalakaua bridge onto the Ala Wai Blvd. Similarly students and tourists could catch the tram mauka to the university. Downtown workers and West Oahu students, however, would disembark at Aala Park terminal and catch the Beretania-Punahou-King Street Downtown Light Rail Loop. (Students would transfer to the UH, Manoa Light Rail Loop at Punahou and Beretania. Since the light rail loops would be extensions of HART, passes and tickets would apply as transfers everywhere, as well.

To return the HART train to the elevated skyway could be accomplished by sending it back to Aala Park terminal by way of the left hand curb lane Ewa down Kapiolani to Ward and down Queen to Nimitz Hwy where it begins its elevated incline at Fort St. and curves up to attain the elevated level of the HART to Kapolei, (Note: The elevated level of the HART station will require a pedestrian bridge over King Street and an escalator down to Beretania at Aala Park to reach the downtown light rail loop terminal.) This use of the HART train on street level has the virtue of serving Kakaako and not leaving it in a transportation donut hole. However, it will have the negative effect for owners and investors who were counting on HART to give their projected high rises viable life—including the state's own highest tower project—by directly passing by their door step. On the other hand, this approach has the added virtue of resolving the security issues, and by going to ground level avoids many downtown iwi discoveries, and resolves the issue of safe bicycle routes downtown.

I hope this helps you with your plans. If not, I am certain the opposition

will use it as a rational alternative to the "My way only" view that serves to offend those who must and will pay for the project.

Keep smiling,

Robert Tellander

Reply Requested :

First Name : Leroy
Last Name : Uyehara
Business/Organization :
Address :
Apt./Suite No. :
City :
State :
Zip Code :
Email :
Telephone :
Add to Mailing List :
Submission :

More propaganda...In all the cities in which there is rail, traffic congestion is high...the difference with Honolulu is that we will have rail that goes from here to there...20 miles with 20 stops. So our traffic congestion will continue to be high, at its worst when TheRail is under construction. When all is said and done, TheRail and TheBus and Handyvan will have the same ridership as now, no where near the counts Hart projects, the common fare between rail and bus will cause both systems to bleed money and the taxpayers will be left with huge operating deficits.

The city is already bankrupt as other cities in the nation...Honolulu has the sewer liability in addition to the pension and healthcare liabilities. The city is trying to raise new forms of taxes or at least "fine tune" existing sources. It is really time to reduce operating costs...as well quit TheRail...it is not affordable to design, it is not affordable to gain approvals, it is not affordable to build, and not affordable to operate. In addition, the train builder and operator (is this not a conflict?) is in financial trouble, no matter what they say/said to the city.

It really is time to take stock, take a deep breath, and cancel this project...it is too costly, will provide very little benefit, and will bankrupt the city to operate.

Uye-1

The FTA and HART appreciate the commenter's interest in the Honolulu Rail Transit Project. The Project's impacts on traffic and financing were addressed in the Honolulu High-Capacity Transit Corridor Project Final Environmental Impact Statement/Section 4(f) Evaluation issued in June 2010. Please see Common Response 2 in Section 5.2.4 of the Final Supplemental Environmental Impact Statement/Section 4(f) Evaluation regarding costs and available funding.

Uye-1

Reply Requested :

Record Date : 6/25/2013
First Name : Ed
Last Name : Wagner
Business/Organization :
Address :
Apt./Suite No. :
City :
State :
Zip Code :
Email :
Telephone :
Add to Mailing List :

Submission :

The 19th century steel wheel on steel rail CHOO CHOO train system being shoved down our throats by rich and powerful people with an insatiable lust for money, power, and control will be the biggest government boondoggle since Solyndra went belly up.

The people of Honolulu were lied to time and time again just to get votes to move forward. Only 51% voted for rail. If residents were to vote for it today, after seeing the truth come to light, I suspect that 75% or more votes would be against rail.

The only reason for rail is for the sole benefit of the rich and powerful who just want to increase commercial real estate density along the route. They don't even care how many residents actually ride on the CHOO CHOO.

Like Martin Luther King, I have a dream - that social justice (and now economic and environmental responsibility) will prevail over the insatiable greed that has taken control of human society like a dark cloud hanging over humanity, for it is social justice that is the true measure of human progress.

In other words, the needs of the many (Hawaii's people) outweighs the needs of the few (HART, FTA, Honolulu City Council, ETC.) or the one (Honolulu Mayor, Hawaii Governor, ETC.). (Star Trek Mr. Spock's famous words)

In a recent speech to diplomats accredited to the Holy See, Pope Francis also spoke of the need for more ethics in finance.

"The financial crisis which we are experiencing makes us forget that its ultimate origin is to be found in a profound human crisis," he said, adding: "We have created new idols [HART & FTA]. The worship of the golden calf of old has found a new and heartless image [HART & FTA] in the cult of money and the dictatorship [by HART & FTA & Other Rich & Powerful] of an economy which is faceless and lacking any truly humane goal"

However, the winds of change are upon us - a beacon of hope for humanity.

The B Team Launches: Nonprofit Group Aims To Build Better Version Of Capitalism, one which puts Spaceship Earth and people first and profits second.

http://www.huffingtonpost.com/2013/06/13/the-b-team-launches_n_3433538.html

<http://www.guardian.co.uk/sustainable-business/blog/richard-branson-jochen-zeitz-b-team>

<http://bteam.org/>

Plan B will never happen in Hawaii until we eliminate the influence of greedy people like HART & FTA as well as our shipping and electric monopolies. Only then will our economy move forward on a fast track to recovery.

Reply Requested :

Wag-
1

Wag-1

The FTA and HART appreciate the commenter's interest in the Honolulu Rail Transit Project. Please see Common Response 11 in Section 5.2.4 of the Final Supplemental Environmental Impact Statement/Section 4(f) Evaluation [EIS/4(f)] regarding comments outside of the scope of the Supplemental EIS/ 4(f).

Record Date : 6/6/2013
First Name : Daniel
Last Name : Walker
Business/Organization :
Address :
Apt./Suite No. :
City :
State :
Zip Code :
Email :
Telephone :
Add to Mailing List :

Submission :

Our family supports building the full Light Rail project ASAP to reduce car traffic, air pollution, and provide improved mobility options for many students, workers, and seniors in Honolulu. This EIR update should be certified and full construction should commence as soon as possible. There is no rational reason to delay construction further to study BRT or other less desirable options again. While not perfect for everyone on the island, this is a good transportation option, which voters have approved. Adequate funding is now in place to build a good Light Rail system to many key Honolulu destinations. Further redundant studies will likely only drive up cost and potentially jeopardize federal funding. In this recession, the local Honolulu economy will benefit if hundreds of good LRT construction and engineering jobs can continue and move forward ASAP.

Wal-1

Wal-1

The FTA and HART appreciate the commenter's interest in the Honolulu Rail Transit Project and acknowledge the support for the Project.

Reply Requested :

Record Date : 7/12/2013
First Name : Allan
Last Name : Wang
Business/Organization : Allan Wang, MD, PhD
Address :
Apt./Suite No. :
City :
State :
Zip Code :
Email :
Telephone :
Add to Mailing List :

Submission : I think it necessary and optimal that any Oahu rapid transit system run to the University, Waikiki and by the Convention Center, in that order. In this way I believe the taxpayers would see the best return on our investment. Why it would run to Ala Moana Center instead of the others is incomprehensible. | Wan-1

Reply Requested :

Wan-1

The FTA and HART appreciate the commenter's interest in the Honolulu Rail Transit Project. Comments on the extension to UH Mānoa were addressed in Section 8.6.2 of the Final Environmental Impact Statement/Section 4(f) Evaluation [EIS/4(f)]. Please see Common Response 2 in Section 5.2.4 of the Final Supplemental EIS/4(f).

Record Date : 7/11/2013
First Name : Chris
Last Name : Yannella
Business/Organization :
Address :
Apt./Suite No. :
City :
State :
Zip Code :
Email :
Telephone :
Add to Mailing List :

Submission :

There are tons of students that ride the A or 6 to Ala Moana. Myself included. Living in the area, it would be a much faster commute from UH Maona with the train. Having to wait forever for the bus on Sunday or Holidays really makes times from point A to B much longer. During daily rush hour, waiting for the A or ridding the A in traffic takes a really long time. Try it and see for yourself. Please extend the rail to UH Manoa at all costs!

Yan-1

Yan-1

The FTA and HART appreciate the commenter's interest in the Honolulu Rail Transit Project. Please see Common Response 2 in Section 5.2.4 of the Final Supplemental Environmental Impact Statement/Section 4(f) Evaluation.

Reply Requested :

Record Date : 7/16/2013

First Name : George

Last Name :

Business/Organization :

Address :

Apt./Suite No. :

City :

State :

Zip Code :

Email :

Telephone :

Add to Mailing List :

Submission : He is supportive of the rail project and wanted clarification on the article he read this morning regarding Susan Mollway. | Geo-1

Reply Requested :

Geo-1

The FTA and HART appreciate the commenter's interest in the Honolulu Rail Transit Project. Please see the responses to the comments on Judge Mollway's letter.

Record Date : 7/22/2013
First Name :
Last Name :
Business/Organization :
Address :
Apt./Suite No. :
City :
State :
Zip Code :
Email : rosalia
Telephone :
Add to Mailing List :
Submission :

please reconsider the rail as it currently is. it will take away from the beauty of the islands, and it will not serve the majority of people on the island. It will only go from a vacant piece of land to the Ala Moana shopping center, not to the University of Hawaii. The University of Hawaii causes the most traffic, as we see that during the summer (UH is out) traffic is light. 100% of people I talked to that live in Ewa Beach, Milliani, Milliani Mauka, Waiane, Kapolei and Kunia will NOT ride the rail. Have there been any studies on ridership?
 Also, the rail route as it stands (which makes no sense unless you're a developer with plans on TOD) goes through dense portions of town, how many buildings will rail have to destroy in order to be built? How many views have to be blocked? I don't think that rail will serve it's purpose of transporting people in an efficient manner. You will NOT get people to give up their cars. Rail will turn this city into a ghetto with the concrete pillars, noise and black soot. Please please go back to the drawing board!

Ano-1

Ano-1 The FTA and HART appreciate the commenter's interest in the Honolulu Rail Transit Project. Ridership was addressed in the Honolulu High-Capacity Transit Corridor Project Final Environmental Impact Statement/Section 4(f) Evaluation [EIS/4(f)] issued in June 2010. Please see Common Response 2 in Section 5.2.4 of the Final Supplemental EIS/4(f).

Ano-2

Ano-2 Visual impacts and displacements were addressed in the Honolulu High-Capacity Transit Corridor Project Final Environmental Impact Statement/Section 4(f) Evaluation issued in June 2010.

Reply Requested :

Record Date : 7/11/2013

First Name :

Last Name :

Business/Organization :

Address :

Apt./Suite No. :

City :

State :

Zip Code :

Email :

Telephone :

Add to Mailing List :

Submission :

I totally support the rail to UH-Manoa. Anyone who lives from Central to West Oahu knows that when there is no UH in session, the traffic drops dramatically! Who goes to the Ala Moana Center between 6:30-8:30, when traffic is the heaviest out west side??? I'm not saying that the rail shouldn't go to ala moana. I'm saying that whatever the route, it should go to UH Manoa.

Ano1-1

Ano1-1

The FTA and HART appreciate the commenter's interest in the Honolulu Rail Transit Project. Please see Common Response 2 in Section 5.2.4 of the Final Supplemental Environmental Impact Statement/Section 4(f) Evaluation.

Reply Requested :

Record Date : 7/15/2013
First Name :
Last Name :
Business/Organization :
Address :
Apt./Suite No. :
City :
State :
Zip Code :
Email :
Telephone :
Add to Mailing List :
Submission :

First let me start by saying that I live in Ewa and drive to town M- F by myself. I need my car because before, during and after work I travel away from my office for business and or personal appointments. I have noticed through the years that when UH Manoa is on break, traffic flow from the west side is lighter.

Now, about the "project" or the alternative route via Beretania under ground tunnel. In my opinion this entire rail project was ill conceived so its not surprising that execution of the plan has hit numerous roadblocks. A full environmental impact study of the entire route should have been performed before the project started. If we can't build a rail that meets the needs of the communities affected and has the capability of going from the west side of Honolulu to UH Manoa without harming or otherwise impacting the environment or historical sites, or creating risk to public safety - - then don't do it at all. Find another way to solve the problem. The problem is heavy traffic from the west side - right? So adding an extension from the H1 with toll bridge over Ford Island to west lock, more express busses from the west side to/from UH Manoa and west UH campus, adding a second level freeway over H1 (toll way) or for use with with smart cars, reverse zipper on H1 going west etc. etc. have all been thoroughly vetted? If so, please publish results of those studies. I think the latter initiative is already underway.

Ano2-1

Ano2-1

The entire Project was evaluated in the Honolulu High-Capacity Transit Corridor Project Final EIS/4(f) issued in June 2010.

Ano2-1

Ano2-2

Project alternatives were addressed in the Final EIS/4(f). Please see Common Response 2 in Section 5.2.4 of the Final Supplemental EIS/4(f) regarding extension to UH Manoa.

Record Date : 7/20/2013

First Name :

Last Name :

Business/Organization :

Address :

Apt./Suite No. :

City :

State :

Zip Code :

Email :

Telephone :

Add to Mailing List :

Submission :

I see a big failure in this project, waste of money, people still will use cars, it is more convenient to ride the car and go around than go to the station and ride a rail and get to wherever they go, besides as most project in Hawaii it will drag for years (there is not enough money for that) and it is a big burden for us living in state of Hawaii... please stop the rail project and repair roads instead and also make bus system better.

Ano3-1

Ano3-1

The FTA and HART appreciate the commenter's interest in the Honolulu Rail Transit Project.

Reply Requested :

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Honolulu Authority for Rapid Transportation
Public Hearing for the
Draft Supplemental EIS/Section 4(f) Evaluation
July 9, 2013
Neal S. Blaisdell Center

Transcribed by: Jessica R. Perry, CSR, RPR

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Honolulu, HI (808) 524-2090

1 MR. MORIOKA: Good evening, and thank you
 2 very much for coming tonight. My name is Brennon
 3 Morioka, and I'm the deputy executive director for the
 4 Honolulu Authority for Rapid Transportation or HART.
 5 I will be serving as the hearings officer for
 6 tonight's public meeting or public hearing for the
 7 Draft Supplemental Environmental Impact
 8 Statement/Section 4(f) Evaluation for the Honolulu
 9 Rail Transit Project. Just to make things a little
 10 simpler for me, I will refer to this document as the
 11 draft SEIS.

12 The purpose for this public meeting
 13 tonight is to provide all of you, the public, an
 14 opportunity to comment on the draft SEIS. This
 15 document was completed to comply with an order of the
 16 Federal District Court for the Federal Transit
 17 Administration, or FTA, and the City and County of
 18 Honolulu to conduct additional analysis on three
 19 specific issues regarding the FTA's compliance with a
 20 federal law known as Section 4(f) of the Department of
 21 Transportation Act.

22 Section 4(f) applies to approvals of
 23 federally funded transportation projects that use park
 24 and recreation sites or that use historic sites listed
 25 on or eligible for listing on the National Register of

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1 Historic Places.

2 Specifically, the district court's order
 3 requires FTA and the city to do three specific things:
 4 One, supplement the final EIS regarding whether the
 5 Beretania Street Tunnel Alternative is a prudent and
 6 feasible budget alternative under Section 4(f),
 7 conduct additional analysis of whether the project
 8 would use Mother Waldron Neighborhood Park under
 9 Section 4(f), and, three, complete the identification
 10 of traditional cultural properties and complete a
 11 Section 4(f) analysis for any TCPs identified as
 12 eligible for inclusion on the National Register of
 13 Historic Places.

14 It's important to note that the district
 15 court did not invalidate the final EIS or the FTA's
 16 approval of the project and that the district court
 17 rejected the plaintiff's claims brought under the
 18 National Environmental Policy Act, or NEPA, and the
 19 National Historic Preservation Act. The draft SEIS
 20 addresses the first two actions that the district
 21 court required, which are the Beretania Tunnel
 22 Alternative and the Mother Waldron Park. We are here
 23 this evening to record your comments on the draft
 24 SEIS.

25 In addition to the draft SEIS, the FTA

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1 and the city are completing an identification of
 2 previously unidentified above ground traditional
 3 cultural properties, or TCPs. These studies were
 4 distributed previously and made available to the
 5 public for review and comment and held public
 6 meetings. These reports are available on the project
 7 website at www.honolulutransit.org for those of you
 8 who are interested. The FTA and HART are coordinating
 9 with the State Historic Preservation Division on the
 10 final reports to document the findings. The
 11 investigation identified no additional eligible TCPs
 12 that would be adversely affected by the project.

13 So just to summarize the SEIS issues in
 14 terms of some of the findings for the two things that
 15 we were supposed to look at, evaluation of the
 16 Beretania Street Tunnel Alternative, the Beretania
 17 Street Tunnel Alternative would connect to the
 18 Dillingham Boulevard alignment Ewa of Kaaahi Street,
 19 where it would transition from an aerial alignment to
 20 a 5,980-foot tunnel. The tunnel would cross under the
 21 OR&L property, A'ala Park and Nu'uuanu Stream before
 22 continuing under Beretania Street past Punchbowl
 23 Street.

24 It would then transition to an aerial
 25 section in the vicinity of the Fasi Municipal Building

1 Parking structure, and the aerial structure would
 2 cross Alapai Street and transition to King Street
 3 through the Alapai Transit Center. It would then
 4 follow King Street to University Avenue and turn
 5 mauka, crossing over the H-1 to the lower campus of
 6 the University of Hawaii at Manoa.

7 The draft analysis of the Beretania
 8 Street Tunnel Alternative found that it's not a
 9 prudent alternative because of its extraordinary cost,
 10 Section 4(f) impacts, and other factors such as
 11 long-term construction impacts. It is not considered
 12 an avoidance alternative because it uses historic
 13 sites subject to Section 4(f).

14 Mother Waldron Neighborhood Park is a
 15 3.4-acre urban park bounded by Coral, Halekauwila,
 16 Cooke and Pohukaina Streets. Mother Waldron
 17 Playground is a remnant of a playground that was built
 18 by the Works Progress Administration in 1937 and the
 19 park has undergone several modifications over the
 20 years, including substantial modifications to the
 21 mauka portion of the park for the realignment of
 22 Halekauwila Street and the expansion of the park in
 23 the Ewa and Koko Head directions.

24 Mother Waldron Neighborhood Park was
 25 evaluated for constructive use of the project impact

1 on park activities, features and attributes that
 2 qualify the park for Section 4(f) protection. No
 3 direct use of the park property is proposed, and the
 4 park's activities, features and attributes that
 5 qualify for protection pursuant to Section 4(f)
 6 include both its recreational use and the park's
 7 historic attributes that include the Art Deco
 8 restrooms, remaining portions of the Ewa boundary wall
 9 and benches, and the layout of the makai portion of
 10 the playground. The draft analysis found that the
 11 project does not substantially impair any of the
 12 park's activities, features or attributes.

13 So I'm sure many of you are here to
 14 provide testimony tonight and provide comment, which
 15 is our purpose here, to collect your comments.
 16 Today's testimony can be made in multiple ways. You
 17 can give oral testimony here in the public hearing
 18 room up here at the microphone. If you do not wish to
 19 speak in public, you may provide your testimony
 20 directly to the court reporter after the hearing.
 21 Written testimony may be left today at the comment
 22 table in the project information room next door. And
 23 after the hearing, written comments can also be
 24 provided directly to HART or the FTA at the addresses
 25 provided or on the project website at

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1 www.honolulustransit.org. Please remember that all
 2 comments must be emailed and/or postmarked to HART or
 3 FTA by July 22nd, 2013.

4 Just as a reminder for tonight's topic,
 5 it is the Draft Supplemental EIS Section 4(f)
 6 Evaluation. If you do have comments related to other
 7 topics other than those, please feel free to talk
 8 directly to one of our individuals -- one of our HART
 9 staff or contact us through the website and we will
 10 follow up with you directly and separately.

11 For tonight's hearing, if you wish to
 12 comment verbally, please fill out a registration card
 13 at the registration table just outside the table.
 14 Some of you have already done so. Any individual may
 15 appear and speak for him- or herself, or, if duly
 16 authorized, for any local civic group or organization,
 17 club or association.

18 Speakers should give their name and
 19 addresses. If representing a group, this information
 20 should also be provided for that group. Speakers must
 21 limit their statements to three minutes and we will
 22 have a timer up here so that you can see how much time
 23 you have left. All statements should be directed to
 24 me as the hearing officer and must be related to the
 25 Draft Supplemental EIS Section 4(f) Evaluation.

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1 Each testifier must speak at the floor
 2 microphone and we will call the testifiers up in order
 3 of registration. Please ensure that you are in this
 4 public hearing room at the time your name is called.
 5 A court reporter will be transcribing these
 6 proceedings and the hearing is specifically to record
 7 your comments. If you have questions, please feel
 8 free. Our HART staff is available in the public
 9 information room next door to help you with your
 10 questions.

11 It is now 4:39, so at this time I'd like
 12 to begin with the public testimony, and the first
 13 testifier is T.K. Chun of Honolulu.

14 MR. CHUN: My name is T.K. Chun. I'm a
 15 retired engineer. I live in Pacific Heights area. I
 16 support the rail transit system. I vote for it.

17 Now, about this draft EIS, I have -- I
 18 want to submit my writing on this, but before that, I
 19 want to point this out. On this draft EIS, you have
 20 this project to Ala Moana Shopping Center and you have
 21 it to UH Manoa. You compare the two costs. You look
 22 like you comparing apples with oranges. One is to Ala
 23 Moana Shopping Center and one is to UH Manoa, which in
 24 your table 9 it says that the project is 5.12 billion
 25 dollars and the other one is 6.06. I think this is

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Chu-1

Chu-2

Chu-1 The FTA and HART appreciate the commenter's interest in the Honolulu Rail Transit Project.

Chu-2 Please see Common Responses 1 and 2 in Section 5.2.4 of the Final Supplemental Environmental Impact Statement/Section 4(f) Evaluation [EIS/4(f)].

1 faulty. You cannot compare the two project like that.

2 Anyway, I'm going to read my statement.

3 As you noted in your new draft report that you
4 concluded that tunneling under Beretania Street would
5 be feasible, but far too costly as an alternate. I
6 disagree. The purpose of our transit project was
7 clearly stated in the latest Draft Supplemental EIS is
8 to connect Kapolei to UH Manoa campus. Why would you
9 want to choose that route through our beautiful
10 waterfront with ugly elevated structure and much less
11 transit ridership to Ala Moana Shopping Center. This
12 defeat the original purpose.

13 I previously testified and urged that our
14 authority to adopt a transit route tunneling through
15 downtown Honolulu in 2009. You dismiss it because it
16 will cost much more. A good viable transit system
17 should not be determined on cost alone. I believe the
18 alternative tunneling under Beretania Street should be
19 chosen now, even though the better alternative is
20 tunnel through Hotel or King Street. Seattle is
21 currently using the world's biggest tunneling machine,
22 Bertha, 57-foot diameter tunneling through Seattle
23 waterfront. Their tunnel will create three traffic
24 lanes, top and bottom in the tunnel, replacing the
25 ugly waterfront's elevated structure. State --

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Chu-3 Please see Common Response 5 in Section 5.2.4 of the Final Supplemental EIS/4(f).

Chu-4 The 19-percent (\$960 million) increase in project costs (YOE) for the Beretania Street Tunnel Alternative compared to the Project, as detailed in Section 3.5.4 of the Final Supplemental EIS/4(f), would be greater than all available funding sources and would exceed contingencies. Selection of the Beretania Street Tunnel Alternative would prevent the Honolulu Rail Transit Project from advancing. Additional information has also been added in Section 3.5.1 and Section 3.5.4 of the Final Supplemental EIS/4(f) to consider a shortened Beretania Street Tunnel Alternative, but the data added in Table 3 also shows that the shortened alternative would perform poorly in meeting the Purpose and Need and the cost would still exceed available funds (Table 9). Please see Common Response 6 in Section 5.2.4 of the Final Supplemental EIS/4(f) regarding Least Overall Harm.

1 (Timer sounds.)

2 MR. CHUN: That's it.

3 MR. MORIOKA: If you want to make some
4 wrap-up comments.

5 MR. CHUN: Well, okay. I'll read the
6 last statement. The rail transit is the most
7 expensive infrastructure project for our state. It is
8 imperative that we do a sustainable project for our
9 city and do it right. I strongly believe a good and
10 efficient rail system is the way to go. If we are
11 going to build a viable rail transit system, it has to
12 connect our population center, not through our
13 waterfront. Going underground through downtown will
14 minimize disruption to our street service business and
15 a contractor can work day and night. Building a good
16 mass transit system will enhance -- it will enhance
17 our quality of life here in our island state. Let's
18 build a viable transit system for Honolulu.

19 My name is T.K. Chun. I live at 2646 B
20 Haili Road, Honolulu.

21 MR. MORIOKA: Next to testify is Mike Lee
22 from Ewa Beach.

23 MR. LEE: Aloha. My name is Michael
24 Kumukaoha Lee. I'm a native Hawaiian cultural
25 practitioner. And talking specifically about this

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Chu-5 As discussed in Section 3.5.3 of the Draft Supplemental EIS/4(f), the construction period for the Beretania Tunnel Alternative would last approximately two years longer, and would affect a larger area, than construction of the project.

Lee-1 The FTA and HART appreciate the commenter's interest in the Honolulu Rail Transit Project.

1 project, there is HRS, Hawaii Revised Statutes,
 2 Chapter 6D, 1 through 13, protecting karsts, caves and
 3 underwater ground features. Also that's the Article
 4 11, Section 7 of the state constitution protecting
 5 groundwater. And also Article 12 of the state
 6 constitution, Section 7, Hawaii cultural rights.

Lee-2 7 One of the things we have to put on the
 8 table is our fishery. In our Hawaiian cultural
 9 practice, a basic food source is the limu or algae
 10 that is created by these underwater caves that bring
 11 in freshwater like aqueduct. Pahukaina or Pohukaina,
 12 like Pohukaina Street next to Mother Waldron, is named
 13 because there is Pahukaina underneath. These features
 14 subsurface need to be identified. They need to be
 15 protected because of the big pylons if you choose the
 16 feature of having the above-ground stations with the
 17 hundred-foot pylons. Multiple levels of these
 18 underground aqueduct feed the food foundation for our
 19 fisheries, which is a Hawaiian cultural resource and a
 20 public trust resource, all mandated and protected
 21 under the law.

22 Also, the Clean Water Act is the big dog
 23 running here. They have to be identified. They have
 24 to be tested, whether it's freshwater, moving water.
 25 We know for a fact that the Kawaihau stream -- spring

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Lee-2 Please see Common Response 10 in Section 5.2.4 of the Final
 Supplemental EIS/4(f).

1 was actually where the Advertiser building was in
2 historical documents. We know it crossed from where
3 the Iolani Palace was the traditional burial ground at
4 Pahukaina of our iwi kupuna.

5 So in finding of fact with what the
6 historical documents say subsurface, you also have to
7 take it as a TCP as well, because that was our
8 traditional cultural practices beneath there and
9 putting iwi kupuna or shells above the water. So
10 we're going to put in testimony before the 22nd
11 highlighting the specifics areas found in documents,
12 the newspapers and also sites of Hawaii and the
13 catalogue of placements in Hawaii.

14 But we need to put that on the table,
15 whether it's the alternative site in Beretania going
16 exclusively underground 25 feet to 40 feet or using
17 the big pylons. All of those things need to be
18 tested. The geotech reports need to be made public,
19 and all the testimonies that we put in also should be
20 on your website for public access and transparency.

21 Thank you.

22 MR. MORIOKA: Thank you, Mr. Lee.

23 Next will be Mr. Glenn Omelda from Ewa
24 Beach.

25 MR. OMELDA: Aloha. Thank you,

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1 Mr. Chair. I want to -- if you don't mind, my name is
2 Glenn Omelda. I'm currently the president of the Ewa
3 Beach Community Association, plus I'm a board member
4 of the Kanehili Cultural Hui in Ewa.

5 I wish to talk on two issues tonight.

Ome-1

6 One is what's happening in the Ewa moku, and the other
7 one is the present EIS which has been laid on the
8 table. I agree with you, the tunnel should never be
9 built. Number one, because the near shore and the
10 flora and the fauna depends on the mauka -- on the
11 mauka waters that feed into the near shore to have a
12 balanced ecosystem. If you disrupt the estuaries,
13 underground estuaries, then you block the water, the
14 nutrients that come from the mauka side, you disrupt
15 it from going into the ocean. So with that in mind, I
16 agree that the tunnel should never have been built.

Ome-2

17 The other one is the Mother Waldron Park.
18 That too is a recreational site, and I think that the
19 same conditions that applies to the tunnel should also
20 apply to the park. So with that, I think the
21 underground and the near -- the nearness of the
22 pillars that would disrupt the water from -- and of
23 course the karsts that are underground, so I feel that
24 that should be taken into consideration.

25 Let me talk briefly about the Ewa, the

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Ome-1 Please see Common Response 10 in Section 5.2.4 of the Final Supplemental EIS/4(f).

Ome-2 Please see Common Response 7 in Section 5.2.4 of the Final Supplemental EIS/4(f) regarding Mother Waldron Neighborhood Park. The Project also would not affect groundwater flow near the park.

1 first leg of the rail. Ewa is known -- you talk to
2 federal agency, you talk about state, you talk about
3 county, when Barbers Point moved out, the military
4 moved out, that Kalaeloa area, Ewa moku area was
5 considered, among others, culturally sensitive. And
6 the TCPs, the resources and the assets should be
7 protected.

8 Now, we're talking about trails, we're
9 talking about the wahi pana, you know, sacred stories
10 and sacred places. We're talking about all these
11 things. We're talking about the karsts underground.
12 We're talking about the water that flowed mauka into
13 the ocean, and the near shore, the flora and the
14 fauna. Right now Ewa Beach, the reefs are dying. Ewa
15 Beach used to be the limu capital of the world. It's
16 not anymore. We used to have 200 different species of
17 limu. Now we've got less than ten.

18 So something has got to be done, and I
19 think that the rail is in a good position where they
20 should be consulted to the people, especially to the
21 groups in the Ewa region so that we can come to an
22 agreement that all of these things, the TCPs, the
23 resources and the assets should be protected.

24 Thank you.

25 MR. MORIOKA: Thank you, Mr. Omelda.

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1 Next up is Khistina Dejean, sorry if I'm
2 not pronouncing it correctly, from Honolulu. Could
3 you spell your name, please.

4 MS. DEJEAN: K-H-I-S-T-I-N-A, last name
5 D-E-J-E-A-N, Khistina Dejean.

6 MR. MORIOKA: I'm sorry.

7 MS. DEJEAN: I wish to give my testimony
8 today.

9 MR. MORIOKA: Yes.

10 MS. DEJEAN: I just finished running for
11 mayor of Honolulu, Hawaii, and then they kept it on
12 the down play that I wouldn't be heard, but I'm going
13 to be heard now, as I was heard in 2010 running for
14 mayor and governor in the special election.

DeJ-1 15 As I approach running for governor in
16 2014, I am against the rails because you have Hawaiian
17 heritage, you have Ewa Beach testifying and there's a
18 problem. I've been here as a missionary for eight
19 years, 18 years total as a missionary, and I still
20 focus on people first.

21 There's issues that I'm still seeing
22 that's not addressed. When you say that you're doing
23 these studies to provide the energy and what you're
24 going to do once the rails are placed, that's not
25 adequate. You have to have studies placed first

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DeJ-1

The FTA and HART appreciate the commenter's interest in the Honolulu Rail Transit Project. Comments on general topics about the Project were addressed in the Honolulu High-Capacity Transit Corridor Project Final Environmental Impact Statement/Section 4(f) Evaluation issued in June 2010 addressed issues relating to water quality and displacement of people and businesses. Please see Common Response 4 in Section 5.2.4 of the Final Supplemental EIS/4(f) regarding Traditional Cultural Properties.

1 before finishing your project, which means that when
 2 I'm walking Dillingham and I'm seeing wires wrapped
 3 around the poles, you're not fully doing your homework
 4 and in which I am still saying no rails.

5 The Women of League Voters, my project
 6 is -- let me backtrack. My project is missionaries of
 7 color, and we are not going to just sit back and let
 8 the Hawaiian heritage have to suffer because you want
 9 a new toy. That is going to stop life. This is an
 10 island which is surrounded by water and we should make
 11 sure human life is addressed first. As I walked here,
 12 Beretania issues, the people are still living there on
 13 the street, which means you just don't bypass human
 14 life. This money that's supposedly already in place
 15 for the rails, as I win the race 2014, all plans can
 16 come to halt.

17 Things must be addressed appropriately on
 18 paper, played out for everyone, not just in certain
 19 areas that you're having this committee meeting. This
 20 should be a big, large meeting for everybody. Cameras
 21 should have been here, just like they were for the
 22 debate, to make sure everybody is a part of this
 23 so-called testimony, because I will give my testimony
 24 as we're doing on Olelo. You're not addressing
 25 everybody. Everyone is not saying what they truly

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1 feel. I didn't vote for the rails, as like I told
 2 Carlisle, lied on me, when I ran for 2012 race, I
 3 didn't vote for the rails. I'm against it. I'm
 4 against it now, I'll be against it 2014 when I will
 5 win the governor's race against Mr. Abercrombie, I'm
 6 against it, and we must do something and have a bigger
 7 committee meeting and not just this, quote/unquote,
 8 good old boy, closed in committee meeting of one
 9 section. Because I assure you, had everyone known
 10 about it, the Blaisdell building should have been
 11 filled up like the debate.

12 This is not going to work. I am opposed
 13 to it. I am doing my part when the league of voters
 14 said in 2010 -- I hear the clock.

15 MR. MORIOKA: Could you make some wrap-up
 16 comments.

17 MS. DEJEAN: I will wrap up.

18 But the women league of voters placed
 19 this issue in court and when the first vote came for
 20 the rail, because many of us, like I said, I didn't
 21 vote for it, there is supposed to be a tally. There's
 22 supposed to be a recount for really who wanted the
 23 rails, and surely you could have this one section, but
 24 I guarantee when you I get in 2014 you won't have
 25 everything that you ask for because it's not approved

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1 by Khistina and it's not approved by a lot of
 2 Hawaiians, Ewa Beach, and it will be something
 3 different.

4 MR. MORIOKA: Thank you very much.

5 Next up is Cindy McMillan from Honolulu.

6 MS. McMILLAN: My name is Cindy McMillan.

7 I'm here representing the Pacific Resource
 8 Partnership, which I'll just refer to as PRP. We're
 9 located in downtown Honolulu.

10 Pacific Resource Partnership is a
 11 consortium of labor and management. We have the
 12 Hawaii Regional Council of Carpenters on the labor
 13 side and over 200 general contractors who are
 14 signatory to the union.

McM-1 15 We strongly support the rail project. We
 16 believe that the draft SEIS shows that the Beretania
 17 Street alternative is not a prudent alternative. It
 18 will be too costly. It will have additional impacts
 19 to historic sites, and it will have additional impacts
 20 on the neighborhood and to traffic. We believe that
 21 the draft SEIS has shown that there will not be a
 22 significant impact on Mother Waldron in terms of a
 23 negative impact. We do believe that the planned
 24 development in that area will in fact bring more
 25 people to that park to enjoy it in a place of

McM-1 The FTA and HART appreciate the commenter's interest in the Honolulu
 Rail Transit Project and acknowledge the support for the Project.

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1 recreation, as it is meant to be.

2 We are again fully in support of the
3 project and we can't wait to see it happen. I speak
4 both as a PRP representative, as a downtown resident,
5 bus rider and future transit passenger.

6 MR. MORIOKA: Thank you very much.

7 Next to testify is Dr. Jim Anthony from
8 Ka'a'awa.

9 DR. ANTHONY: You got a chair that I can
10 sit down? I feel uncomfortable standing up. I mean,
11 you're sitting down, so you don't mind if I sit down
12 and address you.

13 MR. MORIOKA: Absolutely, go ahead.

14 DR. ANTHONY: I'm -- for the record, I'm
15 Jim Anthony.

16 MR. MORIOKA: Maybe hold --

17 DR. ANTHONY: You want me to speak into
18 this?

19 MR. MORIOKA: Yes, thank you.

20 DR. ANTHONY: Oh, my God. For the
21 record, I'm Jim Anthony, and I'm kind to this project.
22 A year ago I had some very serious doubts, and I asked
23 HART's administrative staff a lot of tough questions.
24 I didn't get answers to all of them that completely
25 satisfied me, but I thought that there were good

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1 grounds for coming around to the idea that this was a
 2 good project. So I'm a supporter of rail and I think
 3 it's important for me to disclose that.

4 We're here this afternoon not to talk
 5 about whether we support rail or not. If you take
 6 that position, you're a bit late. What we're here to
 7 discuss this evening, this afternoon, is the
 8 supplemental EIS that grew out of the decision of
 9 Judge Tashima, who was from the Ninth Circuit Court to
 10 hear this case because local judges at the local
 11 section of the federal courts were forced to recuse
 12 themselves. And so we're here to discuss what it is
 13 in the supplemental EIS, it's a NEPA EIS, and I'm in
 14 the fortunate position of having reviewed, in my
 15 relatively active lifetime, about 30 or 40 of these
 16 EISs.

17 This one, I think, on balance ought to be
 18 supported by an intelligent and caring community.
 19 We're here to talk about the supplemental EIS.
 20 There's going to be a court hearing next month, and,
 21 you know, the lawyers will get there and they'll do
 22 their thing and they'll argue this before Ninth
 23 Circuit and then the chips will fall where they may.

24 So the substantive point that I want to
 Ant-1 25 emphasize is that I think on balance this is a good

Ant-1 The FTA and HART appreciate the commenter's interest in the Honolulu
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1 supplemental EIS. I don't think it's perfect, but I
2 think it's a good -- it's a well-written document.
3 It's not going to be a classic in its field, but it's
4 going to be okay.

5 Lastly, but kind of importantly, I'd like
6 to commend HART. I have lots of stringent criticisms
7 about HART, but this is not the afternoon to voice
8 stringent criticisms. I want to commend them on the
9 range of languages in which this public notification
10 of this afternoon's proceedings have been announced.

11 That sounded like the train coming.

12 MR. MORIOKA: Yes. If you could make
13 some closing comments.

14 DR. ANTHONY: I'll conclude in 30
15 seconds.

16 I think it's to the credit of HART that
17 you have the announcement made in Tagalog and Ilocano
18 and Spanish and Vietnamese and Samoan and Chuukese and
19 Japanese and Chinese and in Korean. I think that's a
20 good thing. We are a multiracial community. It is
21 only the accidental colonial history that I'm talking
22 to you in English this evening. I could be talking to
23 you in Belgian or in French or in German if we had
24 been colonized by people from those countries. So
25 this is a good thing and I commend them for it.

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1 The last point I want to make is that
 2 throughout this enormously complex and politically
 3 contentious issue that has divided people across many
 4 sectors of our society, HART has been very, very
 5 conscientious of its cultural sensitivity, of its
 6 responsibility to respect local Hawaiian culture, and
 7 I want to underscore that. I think it's a good thing,
 8 and I think particular note should be made of it.

9 Thank you, Mr. Chairman, for your
 10 patience.

11 MR. MORIOKA: Thank you very much,
 12 Mr. Anthony.

13 DR. ANTHONY: You're not going to ask me
 14 any questions?

15 MR. MORIOKA: Absolutely not.

16 So is there anyone else present to --
 17 willing to or wanting to provide testimony on the
 18 Draft Supplemental EIS and the Section 4(f)
 19 Evaluation?

20 If you haven't registered, please state
 21 your full name and address for the record.

22 MR. SLATER: Cliff Slater, chair of the
 Sla-1 23 Honolulu Traffic.com. I just wanted to bring to
 24 everyone's attention the recent filing of an amicus
 25 brief, a brief on behalf of Honolulu Traffic, et al.

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Sla-1 As noted in Section 1.1 of the Final Supplemental Environmental Impact
 Statement/Section 4(f) Evaluation [EIS/4(f)], the Supplemental EIS/4(f)
 was prepared to address the Judgment and Partial Injunction Order of the
 United States District Court for the District of Hawai'i in Honolulu-
 Traffic.com et al. vs. Federal Transit Administration et al.

1 in the federal lawsuit by the National Trust for
2 Historic Preservation.

3 For those who are not familiar with it,
4 it is the organization created by Congress to further
5 historic preservation policies of the United States,
6 and one of whose board members is the, by
7 congressional requirement, is the attorney general.
8 And they say: The failure of the Federal Transit
9 Administration to comply with Section 4(f) of the
10 Transportation Act with this -- with respect to this
11 massive elevated rail project which will cut through
12 the historic core of Honolulu and will adversely
13 effect numerous historic properties and districts
14 along its 20-mile length.

15 The document itself, and it's up on
16 Honolulu Traffic.com, and you can read it, it's quite
17 a lengthy document, but it goes into all the details
18 of the environmental harm that this project will do,
19 and that, of course, will be for consideration by the
20 appellate court.

21 Thank you.

22 MR. MORIOKA: Thank you, Mr. Slater.

23 Is there anyone else present who would
24 like to provide testimony?

25 Okay. For those of you who do want to

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1 share some of your thoughts but do not wish to speak
2 in public, you may provide verbal testimony for the
3 record directly to our court reporter after we close.
4 Written statements or literature related to the Draft
5 Supplemental EIS Section 4(f) Evaluation may still be
6 submitted at the table, at the comment table next door
7 or mailed and postmarked by July 22nd, 2013 to HART or
8 FTA or submitted online at our web page at
9 www.honolulutransit.org by 11:59 p.m., Hawaii Standard
10 Time, on July 22nd, 2013. These statements will be
11 made part of the official record and responded to in
12 the Final Supplemental EIS Section 4(f) Evaluation.
13 Please ensure that a legible name and address is
14 available for the record. This will enable the
15 project to provide you with a CD copy of the Final
16 Supplemental EIS.

17 So with nobody else interested in
18 providing testimony, I will conclude this hearing at
19 5:03 p.m. Thank you very much. Aloha.

20 (The proceedings adjourned at 5:03 p.m.)

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C E R T I F I C A T E

I, Jessica R. Perry, Certified Shorthand Reporter for the State of Hawaii, hereby certify that the proceedings were taken down by me in machine shorthand and was thereafter reduced to typewritten form under my supervision; that the foregoing represents to the best of my ability, a true and right transcript of the proceedings had in the foregoing matter.

I further certify that I am not attorney for any of the parties hereto, nor in any way concerned with the cause.

DATED this 19th day of July, 2013, in Honolulu, Hawaii.

Jessica R. Perry, RPR, CSR No. 404

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