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**From:** Ralph.I.Morita@hawaii.gov  
**To:** Miyamoto, Faith; Iwata, Jerry; Garrity, Mark; Hogan, Steve; Judy Aranda  
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Ming-Yang.Tan@hawaii.gov  
**Sent:** 9/7/2010 7:06:09 PM  
**Subject:** Re: Aloha Stadium property and Honolulu High Capacity Transit Corridor (HHCTC) Project / State processing of easement (or lease agreement) / summarized understandings on NEXT STEPS resulting from August 31, 2010 (Tuesday) meeting  
**Attachments:** ATT78445.gif; ATT78446.gif; ATT78447.gif; ATT78448.gif

Faith Miyamoto / Jerry Iwata (CCH-DTS) and HHCTC project consultant team members .... FYI: .... based on discussions during the August 31, 2010, meeting on the subject topic, .... DAGS-PB summarized understandings on NEXT STEPS for State processing of an easement document (or lease agreement) for portions of the Aloha Stadium property are provided below for your follow-up and/or review comments:

1. U.S. Department of the Interior, National Parks Service (NPS) approval is needed on the proposed State easement document (or lease agreement) .... for portions of the Aloha Stadium property that will be impacted by the proposed "Honolulu High Capacity Transit Corridor (HHCTC)" project [not for NPS concurrence on "*finding of de minimus* determination"]; .... accordingly, the DAGS administration is willing to submit a proposed easement document (or lease agreement) for final NPS review and approval .... that is:
  - Based on the last received NPS review comments; .... **[NOTE: Accordingly (to ensure everyone is on the "same page"), .... CCH-DTS staff was asked to send DAGS-PB staff its version of the proposed easement document with the last received NPS review comments .... and .... CCH-DTS proposed revisions]**
  - Acceptable (in concept) to DAGS/Aloha Stadium/DLNR staff .... and .... CCH-DTS staff; .... **[NOTE: DAGS/Aloha Stadium/DLNR staff .... and .... CCH-DTS staff need to mutually agree (in concept) on a proposed easement document (or lease agreement) that is based on the conceptual layout maps provided by CCH-DTS staff for the HHCTC project; .... thereafter, the DAGS administration is willing to forward the proposed easement document (or lease agreement) to NPS for final review and approval .... after .... the DLNR administration is given an opportunity to formally review the proposed easement document (or lease agreement) and authorize the DAGS administration to forward the proposed easement document (or lease agreement) to the NPS for final review and approval, .... a process which could involve DLNR staff seeking BLNR "conceptual approval" of a proposed easement document (or lease agreement) for that purpose]**
  - **Accompanied by a CCH-DTS "Letter of Intent" on the related operational considerations that will be addressed in a pending "Memorandum of Agreement (MOA)" document to be executed by DAGS/Aloha Stadium staff and CCH-DTS staff .... prior to .... State issuance of an easement document (or State execution of a lease agreement) for the HHCTC project.**
  - After DAGS receives final NPS review and approval on the proposed easement document (or lease agreement) for the HHCTC project, .... DAGS staff will submit a request for DLNR processing of BLNR "approval in principle" .... which will authorize:
    - DAGS/Aloha Stadium/DLNR staff and CCH-DTS staff to proceed with finalization and execution of an easement document (or lease agreement) for the HHCTC project .... that will be subject to CCH-DTS submittal of a finalized metes and bounds map .... and .... execution of a MOA document on related operational considerations;
    - DLNR staff to immediately issue to the CCH-DTS (for its staff and designated consultants; contractors; sub-contractors; vendors, etc) .... an "interim right-of-entry (ROE)" authorization with limitations for: .... site survey work; .... design phase work (including site borings); .... and .... construction phase work within the Aloha Stadium property;
    - DLNR staff to issue the CCH-DTS .... a finalized easement document (or executed lease agreement) for the HHCTC project .... after .... CCH-DTS submittal of a finalized metes and bounds map .... and .... execution of a MOA document on related operational considerations.
    - CCH-DTS staff (and the HHCTC project consultant team members) anticipate DLNR issuance of the ROE authorization will be needed by January 2011 (thereabouts) .... for start-up of design phase work on the HHCTC project .... and .... that execution of a MOA document on related operational considerations for the HHCTC project will take a "long time"; .... **[NOTE: Accordingly, CCH-DTS submittal of a "Letter of Intent" with the CCH-DTS**

**proposed easement document .... should be done ASAP]**

Please call me if there are any questions on this matter; .... Ralph Morita, DAGS-PB, Chief

Ralph I Morita/DAGS/StateHiUS

08/31/2010 10:21 AM

To "Miyamoto, Faith" <fmiyamoto@honolulu.gov>, "Iwata, Jerry" <jiwata@honolulu.gov>, "Judy Aranda" <Aranda@infraconsultllc.com>, "Garrity, Mark" <garrity@pbworld.com>, "Hogan, Steve" <hogan@pbworld.com>

cc Russ K Saito/DAGS/StateHiUS@StateHiUS, Geraldine Green/DAGS /StateHiUS@stateHiUS, Ernest Y Lau/DAGS/StateHiUS@stateHiUS, Chris Kinimaka/dags@dags, David C DePonte/dags@dags, Scott L Chan/DAGS /StateHiUS@stateHiUS, Ming-Yang Tan/DAGS/StateHiUS@stateHiUS, Morris M Atta/DLNR/StateHiUS@stateHiUS, Gavin G Chun/DLNR/StateHiUS@stateHiUS

Subject Re: Honolulu High Capacity Transit Corridor (HHCTC) Project / Follow-Up Meeting on Proposed Easement Through Aloha Stadium Parcels [CONFIRMATION for Follow-Up Meeting on August 31, 2010 (Tuesday), 2:30PM - 3:00PM @ State Comptroller conference room][Link](#)



Faith Miyamoto (CCH-DTS / HHCTC) etal .... FYI only: .... this CONFIRMS the scheduled follow-up meeting is still OK for Tuesday (August 31, 2010), 2:30PM - 3:00PM, in the State Comptroller's conference room (Kalanimoku Bldg, 4th Floor) .... and .... the preliminary AGENDA topics are:

**[PS: DLNR-Land Management Division staff do not need to attend this scheduled follow-up meeting]**

- o Verification of the outstanding/unresolved issue(s) that still need to be addressed .... before .... the U.S. National Park Service (NPS) will issue a written concurrence on a *finding of de minimus impact* for the City and County of Honolulu, Department of Transportation Services (CCH-DTS), "Honolulu High Capacity Transit Corridor (HHCTC)" project.
- o Discussions on the "next steps (proposed)" to be done, .... such as (but not limited to):
  - o DAGS / Aloha Stadium staff .... and .... CCH-DTS staff / project team .... agreement in principle .... that the "quickest way" to address the outstanding/unresolved issues for NPS concurrence on the *finding of de minimus impact* for the HHCTC project .... is to pursue execution of a Memorandum of Understanding (MOU) document .... as a condition for DLNR issuance of the easement (or lease agreement) for portions of the Aloha Stadium property that the CCH-DTS needs for development of the HHCTC project;
  - o DAGS administration follow-up discussions with NPS staff on the *finding of de minimus impact* for the HHCTC project;
  - o DAGS / Aloha Stadium / DLNR staff .... and .... CCH-DTS staff .... negotiations on terms and conditions for a proposed MOU document; .... **[NOTE: E-mail message dated August 30, 2010 from DAGS-PB to CCH-DTS (attached below) .... highlights some of the issues to be addressed in the proposed MOU document]**

Please call me if there are any questions on this matter .... (sorry if I caused any confusion on this meeting date/time); .... Ralph Morita, DAGS-PB, Chief

From: Ralph I Morita/DAGS/StateHiUS  
To: "Miyamoto, Faith" <fmiyamoto@honolulu.gov>

AR00099318

Cc: "Judy Aranda" <Aranda@infraconsultllc.com>, "Garrity, Mark" <garrity@pbworld.com>, "Hogan, Steve" <hogan@pbworld.com>, "Iwata, Jerry" <jiwata@honolulu.gov>, Russ K Saito/DAGS/StateHiUS@StateHiUS, Geraldine Green/DAGS/StateHiUS@StateHiUS, Ernest Y Lau/DAGS/StateHiUS@StateHiUS, Chris Kinimaka/dags@dags, David C DePonte/dags@dags, Scott L Chan/DAGS/StateHiUS@StateHiUS, Ming-Yang Tan/DAGS/StateHiUS@StateHiUS, Morris M Atta/DLNR/StateHiUS@StateHiUS, Gavin G Chun/DLNR/StateHiUS@StateHiUS  
Date: 08/30/2010 06:58 PM  
Subject: Re: Honolulu High Capacity Transit Corridor (HHCTC) Project / Follow-Up Meeting on Proposed Easement Through Aloha Stadium Parcels [Follow-Up Meeting to be Re-Scheduled]

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Faith Miyamoto (CCH-DTS / HHCTC) .... FYI: .... State Comptroller Russ Saito just informed DAGS-Planning Branch (PB) staff that he will not be able to attend the previously scheduled follow-up meeting on Tuesday (August 31, 2010), 3:00PM - 3:30PM; .... accordingly, I need to RE-SCHEDULE this follow-up meeting to sometime next week (September 7, 2010 - September 10, 2010) at the earliest; .... my availability schedule is provided below for your info and reference (please provide DAGS-PB staff with up to four alternative meeting dates/times):

- Tuesday (September 7, 2010) .... before 1:30PM .... and .... after 2:30PM
- Wednesday (September 8, 2010) .... before 10:30AM .... and .... after lunch
- Thursday (September 9, 2010) .... anytime
- Friday (September 10, 2010) .... anytime

Also, DAGS staff will review and provide preliminary comments on the excerpts provided below for portions of a draft Memorandum of Understanding (MOU) document; .... however, for the RE-SCHEDULED follow-up meeting, we will look forward to reviewing a more complete version of a draft MOU document from the City and County of Honolulu, Department of Transportation Services (CCH-DTS) .... that will address the following Aloha Stadium operational considerations and/or concerns:

1. Payment mechanism for annual reimbursements to the Aloha Stadium management for "permanently lost parking stalls revenues" that will result from proposed CCH-DTS developments for the Honolulu High Capacity Transit Corridor (HHCTC) project.
2. Collection mechanism (or CCH-DTS payment mechanism) for parking stall fees tied to use of the Kamehameha Lot during scheduled Aloha Stadium events.
3. Anticipated CCH-DTS operational responsibilities related to proposed developments for the HHCTC project, .... such as (but not limited to .... for all of the proposed Aloha Stadium easement or lease areas; as applicable):
  - Monthly utility costs (for electricity; water; sewer charges, etc)
  - Daily clean up and "life cycle" maintenance or replacement work for CCH-DTS constructed items, .... such as (but not limited to):
    - Rail transit station and bus transfer station
    - Rail transit support columns
    - Rail transit turn-around provisions
    - Pedestrian sidewalks or public walkways
    - Parking lot striping and pavement areas
    - Access/egress driveways for the Kamehameha Lot
    - Parking lot control gates, parking ticket dispensing and collection devices (if installed)
    - Landscaped areas
    - Vagrancy or vandalism problems
    - Removal of abandoned or overnight vehicles
    - Vehicular accidents or pedestrian accidents/injuries within the Kamehameha Lot
    - "Public safety" issues (such as compliance with: public health regulations; tripping hazards; crowd control provisions, etc)
    - Regulatory requirements (such as compliance with: Building Codes; maximum room occupancy; directional signage; ADAAG issues, etc)
    - Street traffic control provisions (i.e. police support) for scheduled Aloha Stadium events, .... which have a "sold ticket" attendance .... of (at least 72-hours prior to the event):
      - 30,000 or more "sold tickets"
      - 20,000 to 29,999 "sold tickets"

- o 19,999 or less "sold tickets"
- o Anticipated Aloha Stadium operational responsibilities related to proposed developments for the HHCTC project, .... (for the same issues cited in above comment 3)

Please call me if there are any questions on this matter; .... Thanks; .... Ralph Morita, DAGS-PB, Chief

"Miyamoto, Faith" <fmiyamoto@honolulu.gov>

08/30/2010 04:45 PM

To <Ralph.I.Morita@hawaii.gov>

cc "Hogan, Steve" <hogan@pbworld.com>, "Garrity, Mark"

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<Aranda@infraconsultllc.com>, "Iwata, Jerry" <jiwata@honolulu.gov>

Subject Honolulu Rail Project

Hi Ralph –

As discussed, my intent is to get agreement that the path forward would be to:

1. Provide NPS with a revised draft easement document for Aloha Stadium that would provide NPS with the basis to determine that the transit use of the property would be in keeping with its recreational use.
2. Initiate work on a master agreement/MOU that would address the concerns of the DAGS/DLNR/Stadium.

Excerpts of a MOU between the City of San Diego and the San Diego Metropolitan Transit Development Board (MTDB) demonstrate how shared use of the park-and-ride and other concerns can be covered. For Honolulu, CITY in the MOU example will be the Aloha Stadium and MTDB would be the City and County of Honolulu.

9. At all times, CITY will allow the public to park and ride at the Stadium Station. If for some reason the parking lot must be closed, CITY will notify MTDB no less than 72 hours before such closure. CITY will also notify MTDB 72 hours in advance if it plans to charge for parking earlier than 9 a.m. on a weekday for a scheduled event. Persons wishing to access the Stadium Station after CITY has begun to charge for event parking will be subject to parking fees. If CITY notifies MTDB at least 72 hours in advance of sold-out events, MTDB will post notices discouraging the use of the parking lot on the day of the sold-out event. MTDB will, in good faith, work to resolve any operational problems that may be caused by park and ride at the Stadium.

11. CITY will provide MTDB with a schedule of events at least 30 days in advance, so additional transit service can be provided.

12. MTDB provides roving security for the transit system, including transit vehicles, stations, and parking lots for transit patrons. For stadium events with attendance greater than 30,000, security will be

assigned at the Stadium Station after the event, until the majority of the crowd has dispersed.

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