DEPARTMENT OF TRANSPORTATION SERVICES

MUF HANNEMANN
MAYOR

CITY AND COUNTY OF HONOLULU

650 SOUTH KING STREET, 3RD FLOOR
HONOLULU, HAWAII 96813
Phone: (808) 768-8305 • Fax: (808) 768-4730 • Internet: www.honolulu.gov

WAYNE Y. YOSHIOKA
DIRECTOR

SHARON ANN THOM
DEPUTY DIRECTOR

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May 21, 2010 RT2/09-299170R

Ms. Jan Yokota
General Growth Properties, Inc.
1585 Kapiolani Boulevard, Suite 800
Honolulu, Hawaii 96814

Dear Ms. Yokota:

Subject: Honolulu High-Capacity Transit Corridor Project
Comments Received on the Draft Environmental Impact Statement

The U.S. Department of Transportation Federal Transit Administration (FTA) and the City and County of Honolulu Department of Transportation Services (DTS) issued a Draft Environmental Impact Statement (EIS) for the Honolulu High-Capacity Transit Corridor Project. This letter is in response to substantive comments received on the Draft EIS during the comment period, which concluded on February 6, 2009. The Final EIS identifies the Airport Alternative as the Project and is the focus of this document. The selection of the Airport Alternative as the Preferred Alternative was made by the City to comply with the National Environmental Policy Act (NEPA) regulations that state that the Final EIS shall identify the Preferred Alternative (23 CFR § 771.125 (a)(1)). This selection was based on consideration of the benefits of each alternative studied in the Draft EIS, public and agency comments on the Draft EIS, and City Council action under Resolution 08-261 identifying the Airport Alternative as the Project to be the focus of the Final EIS. The selection is described in Chapter 2 of the Final EIS. The Final EIS also includes additional information and analyses, as well as minor revisions to the Project that were made to address comments received from agencies and the public on the Draft EIS. The following paragraphs address comments regarding the above-referenced submittal:

Ward Avenue

It is acknowledged that General Growth has significant plans for redevelopment of properties in the Ward Properties area. The City has discussed the Project with General Growth and will continue to work with general Growth as the project moves forward. To a substantial degree, coordination of ~~those~~ the General Growth plans with the ~~effect of the~~ Project on affected

properties could help mitigate parking and access ~~issues~~ concerns ~~around~~ in the vicinity of the Kakaako Station. ~~However, the general~~ mMitigation measures related to acquisitions, displacements, and relocations are presented in Section 4.4.3 of the Final EIS and for parking in Section 3.4.7. For partial acquisitions, defined in Section 4.4.1 of the Final EIS, "For commercial properties, including situations where the commercial property could lose its function, full acquisition will be considered." The City's right-of-way managers will work with individual property owners to provide relocation services, "...to all affected business and residential property owners and tenants without discrimination; persons, businesses, or organizations that are displaced as a result of the Project will be treated fairly and equitably" in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Section 4.4.3).

Regarding development potential of General Growth properties, the implementation of the Project is likely to have a positive effect by coordinating the General Growth plans and the rail project. The likely effect of the Project on economic activity near the stations is positive based on the experience in other cities. Table 4-38 in the Final EIS shows the effect of rail on property values in various U.S. cities related to rail. The key to success is to coordinate the plans for both the development and the Project so they work together.

Comment [TH1]: The comment regarding the "impacts to the future development potential of our property" has not been adequately addressed here.

Ala Moana Center

Vertical circulation elements will be needed for a station entrance through the parking deck of the Ala Moana Center, as shown on Drawing No. RP024 of Appendix B of the Final EIS. The station will be at about 35 feet above Kona Street. As indicated in Section 4.6.3 of the Final EIS, ongoing coordination efforts with the public will help develop design measures that will enhance the interface between the transit system and the surrounding community. The City will meet with property owners to discuss concerns that arise from the process.

It is possible that columns could affect existing buildings in the Ward properties area. Given the changes General Growth has proposed for that area, ~~the design process for~~ the Projec teamt will work closely with General Growth to ensure the best possible coordination ~~of design~~ of the guideway and future Ward Neighborhood Master Plan development.

Comment [TH2]: The comment regarding "columns required to support the transit line are proposed to be built through a number of buildings on our Ward properties" has not been adequately addressed here.

Construction planning and phasing will be coordinated with nearby property owners and businesses. The Project will continue its public involvement and education programs throughout construction. Project representatives will work with businesses that will be affected during design and construction, as well as ensure that businesses and the general public are fully informed of current and upcoming activities.

Storage Tank

Thank you for providing this information. Site No. 7, Tio's Mexican Restaurant, has been removed from Table 4-22 in the Final EIS.

Cultural/Historic Resources

~~Act 50 defines "significant effect" as "the sum of effects on the quality of the environment, including actions that irrevocably commit a natural resource, curtail the range of beneficial uses of the environment, are contrary to the State's environmental policies or long-term environmental goals as established by law, or adversely affect the economic welfare, social welfare, or cultural practices of the community and State" [H.B. No. 2895, H.D.1, 20th Leg. (2000)]. The listed properties were identified as cultural practices during the Cultural Resource Investigation. These properties are listed as potential displacements which will not be fully resolved until a final design is completed.~~ The properties referenced (Tio's and California Rock-and-Sushi) are no longer identified in the Final EIS as traditional cultural practices.

Under Section 106 of the National Historic Preservation Act (as amended), the effects of Federal undertakings to historic properties must be considered by the lead Federal agency. Historic properties are properties listed in or determined eligible for listing in the National Register of Historic Places. The Ala Moana Building was determined eligible for listing in the National Register during consultation with the State Historic Preservation Division (SHPD) and was documented as such in revised material for the Honolulu High-Capacity Transit Corridor Project Historic Resources Technical Report. It is worth noting that eligibility does not mean the resource will be listed. (Please see regulation 36 CFR 60 which authorizes the NHRP and regulation 36 CFR 63 which discusses determination of historic places.) Potential project impacts to the Ala Moana Building were re-evaluated in the Honolulu High-Capacity Transit Corridor Project Historic Effects Report (April 2009). In this report, no adverse effects to the Ala Moana Building were identified. Following consultation, the SHPD concurred with this finding. These determinations of effect and the SHPD's concurrence are documented in Section 4.15 of the Final EIS.

Rights-of-Way

According to the City and County of Honolulu's property tax records, the TMK for Koula Street (2-1-52:16) is correct as shown in the Draft EIS. There was no record of 2-1-53:16 in the City's records as of February 24, 2010.

The parcel number for 335, 345 Kamakee Street has been corrected to 2-3-005:13 in Appendix C of the Final EIS on Sheet 48 of 48.

The use of 1023, 1030, 1044, and 1060 Auahi Street has been updated to state "commercial/industrial" use in Appendix C of the Final EIS.

The existing land uses were determined through a windshield survey of the project corridor and verification of the City and County of Honolulu's property tax records in (list month/year of verification). The right-of-way plans were revised and included in the Final EIS.

~~The general m~~Mitigation measures related to acquisitions, displacements, and relocations are presented in Section 4.4.3 of the Final EIS. As was said earlier in this response, the City's right-of-way managers will work with individual property owners to provide relocation services to all affected business and residential property owners and tenants. ~~The Final EIS provides general mitigation measures~~. Specific mitigation measures for individual properties and

Comment [TH3]: Why were the properties listed as "cultural practices? Cultural practices infers some action with significant meaning takes place. What makes these restaurants unique so they are afforded this designation (ie., food preparation, types of food served, etc)? Please be more specific.

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Comment [TH4]: Mention that eligibility does not mean the project will actually be listed, and it is currently not listed. See regulation 36 CFR 60 which authorizes the NHRP and regulation 36 CFR 63 which discusses determination of historic places. Please add both these regulations to the text.

Comment [TH5]: Please list the date this information was first obtained and later verified.

Comment [TH6]: The FEIS should list, and commit to, specific mitigation measures, not "general" mitigation measures.

businesses will be developed on a case-by-case basis as the design progresses and the number of partial and full acquisitions is refined. All acquisitions will follow the requirements of the Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and the USDOT's implementing regulations of 49 CFR Part 24.

The FTA and DTS appreciate your interest in the Project. The Final EIS, a copy of which is included in the enclosed DVD, has been issued in conjunction with the distribution of this letter. Issuance of the Record of Decision under NEPA and acceptance of the Final EIS by the Governor of the State of Hawaii are the next anticipated actions and will conclude the environmental review process for this Project.

Very truly yours,

WAYNE Y. YOSHIOKA
Director

Enclosure