

The Ko'olani &
1133 Waimanu
c/o Ko'olani AOA
1177 Queen Street
Honolulu, HI 96814

October 29, 2009

Mr. Leslie T. Rogers
Regional Administrator, Region IX
U.S. Department of Transportation
Federal Transit Administration
201 Mission Street, Suite 1650
San Francisco, CA 94105-1839

This letter expresses concern about the Honolulu High-Capacity Transit Project's Draft Environmental Impact Statement (DEIS) and asks for your action to correct deficiencies (1) through a formal finding by the USDOT if the DEIS for the HHCTC Project is compliant with the National Environmental Protection Act and (2) to update the DEIS with relevant, accurate information about how the Project will impact our neighborhood.

Two concerns focus our objection to the DEIS. First, the DEIS does not conform to the Notice of Intent published in the Federal Register. Second, information in the DEIS that concerns our neighborhood is incomplete and misleading, undermining the intent of the law.

Concern one: The Notice of Intent to Prepare an Environmental Impact Statement for High Capacity Transportation Improvements as placed in the Federal Register by the United States Department of Transportation states:

"The draft EIS would consider five distinct technologies: light trail [sic] transit, rapid rail transit, rubber-tired guided vehicles, a magnetic levitation system, and a monorail system" (12256).

The DEIS prepared by the City and County of Honolulu (CCH) considers only one transit technology with three routing alternatives. It is our understanding that the regulations in the National Environmental Policy Act (NEPA) mandate the parties responsible for preparing, reviewing and approving an Environmental Impact Statement adhere to the guidelines published in the Federal Register. We believe that to be compliant with the NEPA the DEIS should have provided the public with an equal evaluation of all five technologies identified in the relevant NOI. Instead, the DEIS failed to provide the public with information concerning the environmental characteristics of the other four transit technologies.

We are also aware that this deficiency was brought to the attention of the USDOT's most senior officials by the late Councilmember Duke Bainum and his colleague, Charles Djou in their June 2, 2009 letter. At this time it appears that both the CCH and USDOT/AFT have decided to ignore the procedural failure and have not responded.

Our second concern focuses on the incomplete but relevant information not found in the DEIS about how this Project will impact our neighborhood.

1. Section 4.5 of the DEIS states, "This section describes the neighborhoods adjacent to the project alignment and anticipated effects on these neighborhoods." The description of the Ala Moana-Kaka'ako neighborhood, however, is incomplete and misleading. For example, the DEIS describes the area between Ke'eaumoku and Pensacola Streets mauka of Kapi'olani Blvd. as characterized by two- and three-story walk-up apartments in a quieter residential environment. While it does state that "substantial development has recently occurred in the neighborhood," it concludes the elevated structure would not create a barrier to pedestrian or other modes of travel without addressing other neighborhood quality of life concerns.
2. The DEIS does NOT mention the condominium developments in our immediate neighborhood. Buildings impacted by the current route include Ko'olani with 370 residential and two commercial units, 1133 Waimanu with 282 residential units, Nauru Tower with 304 residential units, Hokua with 248 residential and five commercial units, Hawaiki Tower with 427 residential units, and 1350 Ala Moana with 353 residential units. In addition, the Honolulu Community Development Authority has approved the building of K2 between Hawaiki Tower and Ko'olani at 38 stories with 277 units and another five-story project at 1226 Waimanu Street with 64 units. The total number of units in the immediate area is 2,342.
3. We believe the DEIS does not address the number of residential units on public record listed here and how the projected route will impact our neighborhood. We also believe a revised draft EIS should address our concerns about the quality of life we currently enjoy and the effects on the character of our neighborhood.
4. The language of this section also states, "The Project would extend to Ala Moana Center traveling mostly along Halekauwila and Kona Streets. It does not mention Queen Street and how the condominiums in our neighborhood will be impacted. The current route has the Rail passing by Ko'olani living and bedrooms at 70 feet. Every lanai on the south face of 1133 Waimanu would be exposed to the proposed route, and every apartment has a lanai.
5. Section 4.7.3 of the DEIS addresses visual and aesthetic consequences to the visual landscape. The DEIS excludes our neighborhood from its 20 representative "view points" that would be affected by the Project. As a major "viewer group," one of the major components of the DEIS visual assessment, we believe the Kaka'ako neighborhood is not adequately represented in the DEIS. The Project's visual consequences are categorized as low, moderate or high. We believe our neighborhood's existing visual quality to range from low to moderate. Our visual impact assessment upon completion of the Project would be from moderate to high. The guideway and columns would be a dominant element that would substantially change views and the visual character of our neighborhood.

6. Our concern about how the DEIS has incompletely addressed our quality of life issues extends to noise, addressed in section 4.9 of the DEIS. We believe the DEIS does not distinguish between commercial and residential noise levels and does not adequately account for the urban canyon effect that channels and shapes sound up and out from its source. The planned noise mitigation that includes sound barrier walls built into the guideway and modern steel-wheel technology will not keep the sound from rising above the sound barriers and will negatively impact our neighborhood.

The DEIS states that in some cases transit may have a negative effect on "real estate" (which we interpret to mean property values) due to what are often called "nuisance" effects – noise and visual infrastructure. These factors, the DEIS states, "can reduce the desirability of properties in the immediate vicinity of the fixed guideway." The current Project route passes inappropriately close to urban residential units with high populations in our neighborhood to keep the costs down. As currently planned, we will experience all the adverse effects of the Project on the neighborhood character and quality of life but none of the benefits.

We do not seek to stop the Project. Many residents in our neighborhood support it. We do seek, however, to have the DEIS process comply with the intent of the law and the document itself revised to be an accurate representation of our neighborhood so sound decisions about the type of rail system build and the route serve all the people of Hawaii.

We anticipate additional endorsements and support of this letter from our neighboring Associations of Apartment Owners.

We are requesting a written response to our concerns. Thank you in advance for your assistance.

Respectfully,



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Ko'olani AOA President



Jeffrey Berman
1133 Waimanu AOA President

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Ala Moana/Kaka'ako Neighborhood Board