

Michael J. Green (HI Bar No. 4451)
841 Bishop Street, Suite 2201
Honolulu, HI 96813
Telephone: 808-521-3336
Facsimile: 808-566-0347
Email: michaeljgreen@hawaii.rr.com

Nicholas C. Yost (CA Bar No. 35297)
Matthew G. Adams (CA Bar No. 229021)
Admitted pro hac vice
SNR Denton US LLP
525 Market Street, 26th Floor
San Francisco, CA 94105
Telephone: 415-882-5000
Facsimile: 415-882-0300
Email: nicholas.yost@snrdenton.com
matthew.adams@snrdenton.com

Attorneys for Plaintiffs

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII**

HONOLULUTRAFFIC.COM;
CLIFF SLATER; BENJAMIN J.
CAYETANO; WALTER HEEN;
HAWAII'S THOUSAND
FRIENDS; THE SMALL
BUSINESS HAWAII
ENTREPRENEURIAL
EDUCATION FOUNDATION;
RANDALL W. ROTH; and DR.
MICHAEL UECHI,

Plaintiffs,

v.

FEDERAL TRANSIT
ADMINISTRATION; LESLIE
ROGERS, in his official capacity
as Federal Transit Administration
Regional Administrator; PETER
M. ROGOFF, in his official

Case No. 11-00307 AWT

DECLARATION OF
ROBERT LOY IN SUPPORT
OF PLAINTIFFS' MOTION
FOR LEAVE TO FILE
FIRST AMENDED
COMPLAINT

capacity as Federal Transit
Administration Administrator;
UNITED STATES
DEPARTMENT OF
TRANSPORTATION; RAY
LAHOOD, in his official capacity
as Secretary of Transportation;
THE CITY AND COUNTY OF
HONOLULU; WAYNE
YOSHIOKA, in his official
capacity as Director of the City
and County of Honolulu
Department of Transportation.

Defendants.

I, Robert Loy, declare as follows:

1. I am the Director of Environmental Programs for The Outdoor Circle, a non-profit environmental group founded in 1912. I am familiar with the facts presented in this declaration through my work for The Outdoor Circle.
2. The Outdoor Circle and its members have participated in the various environmental review processes associated with the Honolulu High-Capacity Transit Corridor Project. Among other things, organization and its members participated in the scoping process for the Environmental Impact Statement and Section 4(f) Evaluation for the Project, submitted extensive comments on the Draft Environmental Impact Statement and Section 4(f) Evaluation for the Project, and submitted written comments on the Final Environmental Impact Statement and Section 4(f) Evaluation for the Project. In addition, The Outdoor Circle raised concerns about the Project during multiple meetings with the City and County of

Honolulu and the City's consultants. The Outdoor Circle also published op-ed pieces stating its position on the Project.

3. Although The Outdoor Circle had longstanding concerns about the Project, it was not until December 14, 2011 that the organization formally determined that its continued opposition to the Project mandated participation as a plaintiff in this litigation.

I declare, under penalty of perjury that the foregoing is true and correct.

Executed December 28, 2011

at Honolulu, Hawaii

By


ROBERT LOY