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IN THE 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,

vs.

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

CIVIL NO. 11-00307 AWT

**DECLARATION OF JOHN WHITE
IN SUPPORT OF MOTION TO
INTERVENE BY FAITH ACTION
FOR COMMUNITY EQUITY, THE
PACIFIC RESOURCE
PARTNERSHIP, AND MEL
UESATO; EXHIBIT "A"**

(Presiding: The Honorable A. Wallace
Tashima, United States Circuit Judge
Sitting by Designation)

Date Action Filed: May 12, 2011

Trial Date: None Set

WAYNE YOSHIOKA, in his official
capacity as Director of the City and
County of Honolulu, Department of
Transportation Services,

Defendants.

I, JOHN WHITE, declare as follows:

1. I am a resident of O‘ahu, and I have personal knowledge of the within-stated facts, except those stated upon information and belief, which I believe to be true; and if called as a witness I could and would testify competently thereto.

2. I am Executive Director of Hawai‘i Carpenters Market Recovery Program doing business as The Pacific Resource Partnership (“PRP”), and was appointed to this position in January 2011. PRP is a not for profit, joint labor management partnership with the state’s largest construction union, the 6,500-member Hawai‘i carpenters union – the United Brotherhood of Carpenters and Joiners of America, Local 745 (“Union”), and the over 200 contractor signatories to the Union.

3. PRP was founded in 1979, and its overriding mission is to improve the quality of life for Hawai‘i residents. To that end, PRP has used its position as a labor-management partnership to strengthen Hawai‘i’s economy and improve the quality of life for its residents. PRP works with its extensive network of public and private developers and contractors, and the unionized carpenters to bolster the building sector. PRP identifies development opportunities throughout the state and assists with legislation and public policy development and support, guides projects

through the federal, state, and county development process, and facilitates relationships with potential business and community organizations.

4. My role at PRP is to develop and manage programs that support unionized construction, to foster strategic relationships within the design and construction community, and to identify new markets for economic growth. As Executive Director, I have launched several projects to help build support for various construction industry related issues. These projects include the commissioning of a comprehensive corridor-wide study of transit-oriented development (“TOD”) potential on O‘ahu, and sponsoring a significant infrastructure study that seeks to facilitate the statewide integration of capital improvement projects and identify specific high priority projects in need of completion that could help bring economic stimulus to the area through new construction and the resultant job creation it brings.

5. PRP has been a long-time advocate of the Honolulu High-Capacity Transit Corridor Project (“Rail Project”), and its members have been actively involved with the Rail Project from its inception, and throughout the planning and approval process. PRP has submitted testimony supporting the Rail Project to the City Council, the City Department of Planning and Permitting, and other agencies involved in the Rail Project. PRP has voiced its support for the Rail Project publicly as well. For example, I co-authored an article, along with Rev. Bob

Nakata, past Oahu president of Faith Action for Community Equity, and others, supporting the Rail Project that appeared in the *Honolulu Star Advertiser* on August 28, 2011. Attached hereto as Exhibit A is a true a correct copy of the article "Rail is Oahu's future."

6. PRP's staff, Union members and contractors have attended many of the town hall meetings conducted by the City and County of Honolulu regarding the Rail Project. PRP staff and its Union members and contractors have repeatedly voiced their support for the Rail Project during public meetings and through community outreach. Recently, I attended a May 17, 2011 public hearing of the Honolulu City Council Budget Committee to provide testimony in support of the Honolulu Rail Project and Bill 40, which authorized the issuance of Government Obligation bonds to provide for continuing financing for the project. Additionally, PRP staff members have attended and testified at Honolulu Authority for Rapid Transit ("HART") Board meetings ever since HART was formed in July 2011. Much of this testimony pertained to the Rail Project's potential impact on the employment of Union members and the situation they currently face.

7. PRP has done extensive work to support the implementation of the Rail Project. Some of the highlights of this work included significant support of the 2008 Rail Initiative ballot effort (in which voters affirmatively voted that the City should establish a steel wheel on steel rail transit system) and the 2010 HART

ballot measure (in which voters affirmatively voted for a semi-autonomous, public transit board to oversee the planning, construction, operation and extension of the rail system). This support included the expenditure of funds for paid television, radio, and mail advertisements in support of these transit ballot measures. PRP has made major investments in ongoing studies designed to chart the development of growth scenarios and their impacts. PRP has also worked extensively with a coalition of interested parties to further understanding of rail transport and its effects on the development of communities, including how TOD can help meet the needs of Honolulu's changing demographics. In October 2011, PRP partly funded a trip which allowed City officials and private sector leaders to travel to Washington, D.C. to attend Rail-Volution, the preeminent transportation-oriented development conference which brings together experts from across the nation.

8. In May 2011, PRP initiated an effort to inform the public about the significant benefits of the Rail Project. As part of this effort, PRP established a Facebook page and Twitter feed, launched a radio campaign and conducted coalition building activities to raise awareness about the Rail Project. On PRP's Facebook page and Twitter feed, we provide a steady stream of updates regarding the status of the Rail Project and community meetings regarding the Rail Project, provide links to stories about the Project, provide data and information about the construction industry, and advocate for job creation via construction projects and

development. PRP also draws attention to the negative impact that traffic has on PRP's members and Honolulu's residents.

9. The construction industry faces precarious economic conditions. According to Union data as of December 1, 2011, 47% of active Union members on O'ahu are unemployed. Statewide, the unemployment level for Union members is 50.3%. Among O'ahu journeymen carpenters, the unemployment level is 42.2%. Among apprentice carpenters, it is 55.5%. The potential for rail-related employment growth is vast. Economists evaluate projects based on their direct (on-site construction employment), indirect (including manufacturing and preparation of supplies and equipment), and induced (generated to fulfill demands for goods, services, and additional spending created) employment potential. The Rail Project will create over 10,000 jobs per year on average – over 4,000 construction jobs (i.e., 42% for engineers, architects, and laborers, 18% in indirect construction, and 40% for suppliers, retailers, restaurants and services). The construction contractor for the Rail Project estimated that it would employ directly 350 workers just for the first phase of construction of the guideway. In addition, subcontractors and other support and craft workers would be hired – those workers would then spend their wages at local businesses, fueling the state's economy and creating more jobs. As of October 2011, there were 25,000 unemployed persons on O'ahu. The number of people employed in the natural resource, mining, and

construction sector stood at 22,500, down from the September 2007 peak of 27,350. The impact of rail on improving the employment both in O'ahu and throughout the state is clearly significant.

10. The Union is a signatory to the Rapid Transit Stabilization Agreement for the Rail Project, which is a contract between the City and County of Honolulu and various construction unions to ensure that construction of the Rail Project occurs without disruption due to labor disputes, among other things.

11. Kiewit Infrastructure West Co., a PRP member, was awarded the design and build contract to construct the guideway for the first and second phases of the 4-phase Rail Project. In addition, Kiewit teamed with fellow PRP member, Albert C. Kobayashi Inc. as a joint venture and won the bid to construct the maintenance and storage facility for the Rail Project. Other members of PRP have also been retained as subcontractors to work on the Rail Project. If construction of the Rail Project is delayed by this litigation, PRP members will continue to be out work. Delays in construction would have a major negative impact on Kiewit and the many Union workers employed on the Rail Project. The impact on the broader economy would be similarly great, via subcontractors Kiewit employs and the many firms that HART has contracted with to build the Rail Project.

12. The Rail Project is not only significant because of the construction jobs that it will create, but more importantly, it will have a tremendous impact on

improving the quality of life for PRP's Union members and contractors. The Rail Project will provide an affordable alternative to the private automobile. The Rail Project will also facilitate low and moderate income housing opportunities by establishing a transportation infrastructure that is consistent with TOD policies adopted by the City and County of Honolulu. Without a functional mass transit alternative, PRP's Union members and contractors have few alternatives to congested highways to get to and from work. Honolulu's reliance on its overcrowded roads imposes increasing costs in terms of efficiency, the high cost of gasoline and car maintenance, and missed economic opportunities. Any alternative to rail would be both unworkably paralytic and unbearably costly. The 2011 Urban Mobility Report conducted by the Texas Transportation Institute found that the average driver in Honolulu spends 33 hours a year stuck in traffic, which is a 27 percent increase since 2001.

13. The population of Honolulu and the available jobs continue to shift toward Leeward and Central O'ahu, leading to increased traffic. A study by the O'ahu Metropolitan Planning Organization concluded that by 2030, 83 percent of O'ahu's jobs and 69 percent of the island's population will be located along or near the route of the Rail Project.

14. I, like many of PRP's Union members and contractors, have to deal with the current congestion on interstate H-1. During heavy travel times,

particularly during school season, my commute time to work (approximately 15 miles) can well exceed 50 minutes, versus 25 minutes during off-peak times. I am deeply concerned about the quality of life impacts of growing traffic.

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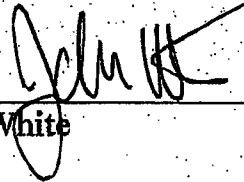
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I declare under penalty of perjury under the laws of the State of Hawai'i that
the foregoing is true and correct.

Executed on January 3, 2012 at Honolulu, Hawai'i.



John White