

SEAN KIM (HI 1787)  
sklawhi@yahoo.com  
Law Offices of Sean Kim  
1188 Bishop Street, Suite 1210  
Honolulu, HI 96813  
Telephone No. 808.538.1812

WILLIAM K. MEHEULA III (HI 2277)  
meheula@pacificlaw.com  
Meheula & Devens  
Ocean View Center  
707 Richards Street, PH1  
Honolulu, HI 96813  
Telephone No. 808.528.5003  
Facsimile No. 808.254.6872

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAI'I

HONOLULUTRAFFIC.COM; CLIFF  
SLATER; BENJAMIN J.  
CAYETANO; WALTER HEEN;  
HAWAI'I'S THOUSAND FRIENDS;  
THE SMALL BUSINESS HAWAI'I  
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

CIVIL NO. 11-00307 AWT

**DECLARATION OF ROBERT  
NAKATA IN SUPPORT OF  
MOTION TO INTERVENE BY  
FAITH ACTION FOR  
COMMUNITY EQUITY, THE  
PACIFIC RESOURCE  
PARTNERSHIP, AND MEL  
UESATO**

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

Date Action Filed: May 12, 2011  
Trial Date: None Set

AND COUNTY OF HONOLULU;  
WAYNE YOSHIOKA, in his official  
capacity as Director of the City and  
County of Honolulu, Department of  
Transportation Services,

Defendants.

I, ROBERT NAKATA, declare as follows:

1. I am a resident of Kaneohe, Hawai'i, and I have personal knowledge of the facts in this declaration, except those stated upon information and belief, which I believe to be true; and if called as a witness I could competently testify thereto.

2. I live in Kaneohe, Hawai'i and I have lived there for most of my life – almost seventy years. I am the Pastor of the Kahuluu Methodist Church in Kaneohe. I am a member of Faith Action for Community Equity (“FACE”) and a past president of the O‘ahu chapter of FACE.

3. For the past 40-50 years, I have been actively involved with land use, planning, water, and transportation issues for the island of O‘ahu. I am a former state legislator and a former president of the Defend O‘ahu Coalition. For much of my life, I have been concerned about and committed to preventing urban sprawl on O‘ahu and keeping Hawai'i's undeveloped, natural areas in pristine condition – or keeping the country, country. I regularly visit and enjoy the natural areas of O‘ahu. As a member of FACE, I continue to work toward the goal of preserving O‘ahu's natural areas.

4. I believe the rail project will help to preserve Hawai'i's natural coastline and wilderness areas from being over-developed by keeping future development concentrated on the leeward side of the island – between Kapolei and

Honolulu, where the route of the Rail Project runs. I also believe that the rail project will channel and attract capital investment in areas near the rail stops.

5. My work as a pastor, and my involvement in island land use planning and environmental issues often involves attending meetings in Honolulu.

Whenever I have to travel to Honolulu, I am faced with dealing with the traffic on the H-1 and the congestion on the streets. The Rail Project would alleviate much of that traffic. Any other alternative, such as managed lanes, would only attract more automobiles, and the already congested streets would become worse, making it more difficult for me to attend meetings and adversely impacting the quality of my life.

6. The Rail Project will also serve as a springboard for developing more affordable housing, which O'ahu desperately needs. As a member of FACE, I have been involved in trying to solve the problem of affordable housing and homelessness. There is a true affordable housing crisis in O'ahu, and transit-oriented development has the potential to solve many of O'ahu's longstanding housing problems.

7. In addition, the Rail Project will truly cut down on the amount of time people spend on the road, allowing them to spend more time with their families. As a pastor and member of FACE, I am committed to strengthening the families of

O‘ahu, and I have observed the corrosive effects that sitting in traffic can have on our residents.

8. The Rail Project is also important because it will create an affordable, efficient mode of transportation for those who cannot drive. As members of my congregation start to get older, they are considering moving to Honolulu and need to be able to get around without driving.

9. I have been a longtime proponent of the Rail Project. I have given testimony at public meetings, written editorials published in the newspapers, and participated in various media interviews in support of the Rail Project.


///

///

///

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 2, 2012 at Kaneohe, Hawai'i.



---

Robert Nakata