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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 DAVIN  
AUYONG 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, DAVIN AUYONG, declare as follows:

1. I am a resident of Pearl City, 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 Pearl City, Hawai‘i, and have lived there for approximately forty-six years. I have lived in Hawai‘i my entire life.

3. My home is approximately one block from the Hawai‘i Interstate 1 highway (“H-1”). I can see the highway from my house. Living so close to the highway, I know firsthand the amount of dust and air pollution that the cars traveling on the highway generate. Dust from the cars on the H-1 accumulates very quickly in my home, and I have to clean very often in order to try to get rid of the dust. I can also see and hear the traffic from my home.

4. I have lived in Hawai‘i my whole life, and I love living on O‘ahu. One of the main reasons I love living here is because of the wonderful weather, beautiful scenery, and natural surroundings. I love the clean waters and clean air. I like to go walking in my community and enjoy the beauty of Hawai‘i. My enjoyment of all of these things would be greatly diminished by the increase in air pollution that would be caused by the traffic that will be exacerbated if the rail project does not get built. The rail project would allow me to continue to enjoy all

the beauty that Hawai'i has to offer because it would get a lot of cars off the road, and there would be less air pollution.

5. I have been working as a carpenter for eleven years. I am currently unemployed as a carpenter and have been laid off for over a year and a half. I have worked on one project during that time, but it was a short-term project. I have been badly impacted by the economic downturn – I have been laid off and have had to use up all my savings. My home is in foreclosure. All of this has adversely impacted my life, including my ability to enjoy the natural resources of Honolulu and O'ahu. Because I am currently unemployed, I cannot afford to travel to and enjoy Honolulu's natural resources. I am counting on the rail project to provide an opportunity for regular employment and to help me turn things in a more positive direction.

6. The cost of driving a car in Hawai'i is extremely high. The cost of gas is so high that I try to avoid driving on the weekends in order to save money. It costs me \$60 a week in gas, and that only buys me three-quarters of a tank, and I have to make that last throughout the week in order to make ends meet. I have no savings and have very little discretionary spending money – the cost of gas takes up approximately 60% of my weekly discretionary spending money. I have always tried to take the bus to get to Honolulu or Ala Moana in order to save money on gas and parking. However, taking the bus can take up to an hour if there is traffic

and I have to take the local bus. Taking the express bus is faster, but it can still take a long time if there is traffic. Also, the buses still produce a lot of pollution since most of them use diesel fuel.

7. Any proposed car or bus-centered alternative to the rail project would not have any positive impact of my quality of life because I would still have to pay high fuel costs, the traffic would still be bad, there would be increased air pollution, which effects my health and recreation, and I would not have access to an efficient and affordable public transit option.

8. I would not support any widening or increase in highways. There is a lot of agricultural land and natural springs near the highways, and I would not want to see those destroyed. Efforts to expand highways, such as through the construction of so-called managed lanes, will also inevitably attract and encourage more automobile travel, and result in increased air pollution and increased congestion on Honolulu streets.

9. The rail project would have a tremendously positive impact on my quality of life, and I cannot wait for the rail project to get underway. First, I would be able to get employment as a carpenter. Second, I would be able to take the rail instead of driving, which would save me a lot of money. Third, the rail project would cut down on the amount of cars on the road, which would really benefit my health by cutting down on air pollution and would allow me to continue to enjoy

the outdoors. I am very much looking forward to riding the rail and all the benefits that will come from the rail project.

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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.

  
Davin Auyong