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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 MELVIN  
UESATO 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, MELVIN UESATO, declare as follows:

1. I am a resident of Kapolei, 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 Kapolei, Hawaii, and have lived here for approximately eleven years. I have lived in O'ahu my entire life. I work at First Hawaiian Bank in Honolulu.

3. To get to work, I take the bus Monday through Thursday, and I drive to work on Fridays. On days that I take the bus, it takes me on average, one hour to get work in the morning, and some days it can take up to one and half to two hours depending on traffic conditions. I have to be at work by 7:45 a.m., and in order to get to work on time, I have to leave the house at 5:40 a.m., which gets me to downtown by 6:45 a.m. under normal traffic conditions. It is not uncommon for the commute to take much longer when there are traffic incidents. If I were to take a later bus, I would not be able to get to work on time due to the traffic.

4. Monday through Thursday, I get off work at 4:30 p.m., but I have to wait for the express bus that leaves Honolulu at 5:15 p.m. and do not get home until 7:00 p.m. If I were to take a local bus, I would have to transfer buses in Kapolei, and if I do not catch the first connection, I would have to wait an additional 30 minutes for the next bus.

5. On Fridays, I drive to work because if I took the bus home, I would not get home until 8:00 p.m. On days that I drive to work, I have to leave the house by 5:30 a.m. to get to Honolulu by 6:15 or 6:30 a.m. On Friday evenings, I get off work at 6:00 p.m. and I do not get home until 6:45 p.m. if there is no traffic. When there is traffic, I often do not get home until 7:15 or 7:30 p.m.

6. When I drive to work, I have to leave the house early enough to beat the traffic and get to Honolulu early enough to get the “early bird” discount parking, which is \$6.00 per day, and there are a limited number of parking spots available, and they are usually filled by 6:30 or 7:00 a.m. The alternative “early bird” parking lots cost \$10-15 per day. If I were to drive to work every day, I would have to fill my tank twice a week, which would cost me approximately \$40 per week. Combined with the cost of parking and increased maintenance costs due to driving the car more frequently, the cost of commuting via car every day would take up approximately 10-15% of my monthly budget. I am part of the lower-income class, and have limited discretionary income. For this reason, even a managed lane would not allow me to drive to work every day and would not improve my quality of life.

7. Commuting via the bus is a more affordable option. Currently, my monthly bus pass costs \$60 per month, and my employer subsidizes half of that cost. However, taking the bus makes my commute very long, and I have to wake

up very early in order to get to work on time. Because of my long commute time, I have less time to spend at home with my wife.

8. The Honolulu High Capacity Transit Corridor (“Rail Project”) would greatly improve my quality of life. It would be very convenient for me, and would allow me to get up later and get to Honolulu at a decent hour, rather than an hour before I need to be at work. It would allow me to spend more time with my wife at home in both the morning and the evenings. Because of the long travel times that I currently have, we only have a few hours together at home in the evenings. A delay in the construction of the Rail Project would mean I have to continue to take the bus and sometimes drive to work, which takes up three to four hours out of each day, including the extra time I have to spend in Honolulu before work.

9. I have attended several public meetings about the Rail Project and have enthusiastically talked about my support for the Rail Project with my friends and family. I believe the Rail Project will greatly enhance the quality of my life, and I would like to see it constructed as soon as possible.

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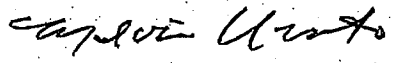
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I declare under penalty of perjury under the laws of the State of Hawai'i that  
the foregoing is true and correct.

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



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Melvin Uesato