

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, 26<sup>th</sup> 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; DR.  
MICHAEL UECHI; and THE  
OUTDOOR CIRCLE,

Plaintiffs,

v.

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

Case No. 11-00307 AWT

**DECLARATION OF  
MICHELLE MATSON IN  
SUPPORT OF  
PLAINTIFFS' REQUEST  
FOR INJUNCTIVE AND  
DECLARATORY RELIEF**

Hon. A. Wallace Tashima

Action Filed: May 12, 2011

Trial Date: None Set

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

Defendants.

and

FAITH ACTION FOR COMMUNITY EQUITY; THE PACIFIC RESOURCE PARTNERSHIP; MELVIN UESATO

Intervenor Defendants.

---

I, Michelle Matson, declare as follows:

1. I am a resident of Honolulu, Hawaii. I am a member (and former President) of Hawaii's Thousand Friends. I am also a member of HonoluluTraffic.com and a contributor to the Small Business Hawaii educational fund. I have personal knowledge of the matters stated herein and, if called as a witness, could and would competently testify thereto.

2. I regularly attend public and professional meetings and activities in downtown Honolulu (encompassing the area extending approximately from Chinatown to the Ala Moana Center) and I plan to continue doing so. I

regularly experience, use, and enjoy the aesthetic environment created by historic buildings and districts in the downtown area, including the visual character of the streetscape near the Dillingham Transportation Building, Chinatown, and the historic waterfront. Also, I visit Irwin Park, Walker Park, and Mother Waldron Park, and I value and enjoy the historic, visual, and peaceful open spaces they provide as irreplaceable public assets.

3. As I made clear in my written and oral comments on the Honolulu High-Capacity Transit Corridor Project (the "Project"), all of which were submitted to the City and County of Honolulu, I am extremely concerned about the Project's impacts on the historic, visual, recreational, and aesthetic environment of downtown Honolulu. The Project's noisy, physically overwhelming and alien visual elements would significantly diminish my (and others') use and enjoyment of this area and its historic, recreational, community, and visual resources. Moreover, the Project will lead to additional damage by, for example, creating a transit-oriented development district in which additional structures impacting downtown Honolulu's historic resources will be built.

4. One of the areas where these impacts will be especially significant is Mother Waldron Park. I frequently go to this area for public meetings and enjoy the historic public open space of this park and its Art Deco features. The Project would place a massive, four-story concrete structure right along the edge of the park. The Project would loom over the park, interfering with

views, fundamentally changing the visual environment, and destroying the historic sense of place there. My enjoyment of Mother Waldron Park would be severely damaged.

5. The impacts of the Project will also be very severe along Honolulu's historic waterfront. The waterfront area contains a complex of historic resources, including the Dillingham Transportation Building, Irwin Park, Aloha Tower, and Walker Park, which are all connected. The Chinatown Historic District is nearby. The Project would pass right through the middle of this historic area, blocking out the sun, cutting off historic view planes, and fundamentally changing and damaging the visual and historic environment.

6. I place great value on the uninterrupted open views of the historic waterfront to the sky and the experience of the historic connection between the historic buildings and districts and the waterfront that has remained intact for generations. The Project would destroy those views and historic connections. The Project's massive concrete viaduct and steel-wheeled train would introduce structural industrial blight and amplified noise, and would interfere and severely damage my use and enjoyment of the historic downtown waterfront area.

7. I also value the aesthetic and historic qualities specific to the Dillingham Transportation Building. The Project would place a massive, modern concrete viaduct and train station immediately next to the historic

Dillingham Transportation Building, forever destroying that building's aesthetic and historic qualities and interfering with my use and enjoyment of the downtown waterfront area.

8. The Project would also intrude on Chinatown, placing a new, massive, concrete structure into a unique small-scale, fine-grained historic environment. The Project would destroy Chinatown's aesthetic environment and historic sense of place, would cut the area's historic connection to the waterfront, and would interfere with my use and enjoyment of the neighborhood.

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

Executed November 29, 2012  
at San Mateo, California

  
Michelle Matson