

## DEPARTMENT OF DEFENSE

### Department of the Navy

#### Record of Decision for Department of the Navy Real Estate Actions in Support of the Honolulu High-Capacity Transit Corridor Project, Honolulu, Hawai'i

**AGENCY:** Department of the Navy, DoD.

**ACTION:** Record of Decision

**SUMMARY:** The Department of the Navy (DON), after participating as a cooperating agency and carefully and independently reviewing and evaluating the Final Environmental Impact Statement (EIS) for the Honolulu High-Capacity Transit Corridor Project (HHCTCP), prepared by the U.S. Department of Transportation Federal Transit Administration (FTA) and the City and County of Honolulu Department of Transportation Services (City), announces its decision to adopt the Final EIS and implement several real estate actions in support of the HHCTCP as set out in the Airport Alternative, which was identified as the preferred alternative in the Final EIS. DON real estate actions would involve the conveyance of approximately 1.6 acres of land and the granting of various easements and license agreements to allow for construction and operation of the HHCTCP.

**FOR FURTHER INFORMATION CONTACT:** Aaron Poentis, Environmental Program Director, Navy Region Hawaii, 400 Marshall Road, Pearl Harbor, HI 96860; phone: (808) 471-1171 ext. 226.

**A. SUPPLEMENTARY INFORMATION:** Pursuant to section 102(2)(c) of the National Environmental Policy Act of 1969 (NEPA), sections 4321 *et seq.* of title 42, U.S.C., Council on Environmental Quality regulations ( parts 1500-1508 of 40 Code of Federal Regulations [CFR]), and DON regulations (part 775 of 32 CFR), the DON concludes, after an independent review and evaluation, that the Final EIS (June 2010) for the HHCTCP adequately assesses and discloses the potential environmental impacts of constructing and operating the proposed HHCTCP for purposes of DON decision making concerning various real estate actions. The DON, which participated in the development of the EIS as a cooperating agency, announces its decision to adopt the Final EIS and undertake several real estate actions in support of the HHCTCP as set out in the Airport Alternative, the preferred alternative of the FTA, City, and DON. This decision allows for the development of high-capacity rapid transit within the City and County of Honolulu and complies with Congressional direction in section 2837 of the National Defense Authorization Act for Fiscal Year 2015 (FY15 NDAA).

**B. BACKGROUND AND ISSUES:** The FTA and City have proposed undertaking the HHCTCP, which would provide high-capacity rail service for Honolulu, O'ahu, Hawai'i. The HHCTCP proposal includes the construction and operation of a 20-mile fixed guideway rail system, 21 transit stations, park-and-ride lots, traction power substations, and a vehicle maintenance storage facility. The western endpoint of the system is East Kapolei, and the system would proceed eastward via Farrington Highway, to Kamehameha Highway running

adjacent to Joint Base Pearl Harbor-Hickam (JBPPH), to Aolele Street serving the Honolulu International Airport, to Dillingham Boulevard, to Nimitz Highway, to Halekauwila Street, with the eastern endpoint at Ala Moana Center. Portions of the HHCTCP, including one transit station, identified in the EIS as the Pearl Harbor Naval Base Station, would be located on land currently owned by the DON.

A joint EIS for the HHCTCP was prepared by the FTA, as the lead federal agency, and by the City, as the lead state agency, to comply with the requirements of NEPA and Hawai'i Revised Statutes Chapter 343 (HRS Chapter 343). On June 25, 2010, the FTA published a Notice of Availability (NOA) for the Final EIS in the Federal Register (75 FR 36386), which identified the "Airport Alternative" as the preferred alternative. The FTA signed a ROD for the Final EIS on January 18, 2011.

In September 2013, the FTA prepared a Supplemental EIS (SEIS) to comply with the Judgment and Partial Injunction of the District Court for the District of Hawai'i, dated December 27, 2012, in HonoluluTraffic.com, et al. v. Federal Transit Administration, et al., Civ. No. 11-00307 AWT. The FTA signed an amended ROD on September 30, 2013, stating that, apart from the inclusion of an additional section titled "Supplemental EIS/Section 4(f) Evaluation", the findings and determinations made in the January 2011 ROD were unaltered. The SEIS is a limited-scope document focusing on HHCTCP actions within the Honolulu urban core. The SEIS does not alter or amend the analysis of environmental impacts associated with DON actions as stated in the Final EIS. This ROD, therefore, relies on the information and analysis as presented in the Final EIS and restated in the amended ROD of September 30, 2013.

To allow for construction and operation of portions of the HHCTCP, the DON proposes to undertake the following real estate actions:

- Easements and license agreements to the Honolulu Authority for Rapid Transportation (HART) for guideway sections, guideway columns and clearances, to include related sitework, construction and operation.
- Agreements with HART for the relocation and connection of DON utilities located within a Hawaii Department of Transportation (HDOT) right of way.
- New easements to be obtained from HDOT for relocated DON utilities on State property.
- License agreements to HART for the relocation and connection of DON and non-DON utilities located within DON property.
- Easements for relocated non-DON utilities on DON property.
- Easements to HART for Pearl Harbor Naval Base Station entry improvements, platform and pedestrian overhead connections, and utilities.
- Conveyance of approximately 1.6 acres to HART for the construction and operation of the Pearl Harbor Naval Base Station and traction substation.

The majority of DON real estate actions will occur along a portion of the HHCTCP corridor between the proposed Aloha Stadium Station on Kamehameha Highway and the Honolulu

International Airport Station on Nimitz Highway. This corridor area is shown in Appendix C of the Final EIS on preliminary right-of-way plans RW025 through RW030. The Navy will also grant three easements to HART for use of DON property near Pearl City Peninsula. The first property, located north of Pearl City Peninsula perpendicular to the H-1 Freeway, is shown in Appendix C on preliminary right-of-way plans RW014 through RW015a. The second property, located just north of Pearl City Peninsula near Kamehameha Highway, is shown in Appendix C on preliminary right-of-way plan RW016. The third property, located on a section of the Pearl Harbor Bike Path west of Pearl City Peninsula and southwest of Leeward Community College, is shown in Appendix C on preliminary right-of-way plan RW014a.

The approximately 1.6 acres of real estate to be transferred to HART is located at the corner of Radford Drive and Kamehameha Highway, and is bounded by the Little Makalapa Navy Housing Area to the south and southeast. The area is depicted in the Final EIS in Figure 2-27 and Appendix C preliminary right-of-way plan RW027. Figures 2-9 and 2-10 in the Final EIS show the general HHCTCP rail alignment near JBPHH.

### **Purpose and Need**

The purpose of the HHCTCP is to provide high-capacity rapid transit in the highly congested east-west transportation corridor between Kapolei and the Honolulu urban core, as specified in the *O'ahu Regional Transportation Plan 2030* (ORTP) (O'ahu MPO 2007). Implementation of the HHCTCP will address needs for transit improvements within the east-west corridor by improving corridor mobility and travel reliability, improving access to planned development in Kapolei, and promoting transportation equity by providing reliable mobility in areas of the corridor where people of limited income and an aging population live.

The DON's proposed undertaking, conveying approximately 1.6 acres of real estate to HART and granting easements and license agreements, would support the City in its effort to provide high-capacity rapid transit in the highly congested east-west transportation corridor. HHCTCP transit improvements would benefit the JBPHH workforce, DON family housing residents, and visitors to Pearl Harbor historic sites. In conveying land to HART, the DON would also be in compliance with section 2837 of the FY15 NDAA which authorizes such conveyance to permit construction and operation of a rail transit station for the public benefit.

### **Public Involvement**

To reach as many community members as possible, development of the HHCTCP included public outreach using a variety of tools and techniques for participation by the public and other agencies. Outreach methods included printed media releases, radio and video segments, a telephone information line, a project website, community events, and public meetings. Chapter 8 of the Final EIS details public, non-governmental, and agency involvement and coordination.

### **Alternatives Considered**

The FTA and the City considered a broad range of alternatives during development of the HHCTCP. Building on the multi-stage alternatives screening and selection process detailed in

Chapter 2.2 of the Final EIS, four alternatives were carried forward for further evaluation in the Draft EIS by FTA and the City. These alternatives, as discussed in Chapter 2.3 of the Final EIS, include the No Build Alternative and the following three build alternatives:

- Airport Alternative – In this alternative, from Aloha Stadium, the guideway would follow Kamehameha Highway and Aolele Street to the Honolulu International Airport and then to Middle Street.
- Salt Lake Alternative – In this alternative, in the vicinity of Aloha Stadium, the guideway would have continued east along Salt Lake Boulevard, follow Pukoloa Street and Moanalua Stream, and continue to Middle Street.
- Airport and Salt Lake Alternative - This alternative would have constructed both the Airport Alternative and Salt Lake Alternative segments.

The Final EIS identified the Airport Alternative as the Preferred Alternative. The selection of the Airport Alternative was based on the benefits of each alternative as evaluated in the Draft EIS, public and agency comments received on the Draft EIS, and City Council action under Resolution 08-261 that identified the Airport Alternative as the focus of the Final EIS. In correspondence with the City, the DON indicated that it favored the Airport Alternative because it would benefit JBPHH workforce, residents, and visitors. The No Action Alternative as described in the Final EIS is considered the environmentally preferable alternative as it would not cause any direct environmental impacts, however it does not meet the Purpose and Need for the Project.

## **Environmental Impacts**

Environmental impacts associated with the HHCTCP are documented in the Final EIS. The Final EIS concluded that the HHCTCP would not result in significant impacts to the following resources: land use, economic activity, community services and facilities (including utilities), neighborhoods (character and quality of life), environmental justice (disproportionate impact on children or minority and low-income populations), air quality, noise, energy, electric and magnetic fields, hazardous waste and materials, ecosystems, water (including surface water, groundwater, stormwater, wetlands, flood zones and coastal zone management), and street trees. While the Final EIS identified potential noise and water quality impacts on DON property, the document determined, with the implementation of identified mitigation measures, that noise will not exceed acceptable levels and impacts to water quality will be avoided. The Final EIS also concluded that there would be unavoidable adverse effects to visual and aesthetic conditions (Section 4.8) and cultural and historic resources (Section 4.16). The DON has independently reviewed the Final EIS and is in agreement with the conclusions made regarding the impacts and effects of the HHCTCP as they relate to DON actions. The following is a summary of the potential environmental effects of the DON's proposed actions on adversely impacted resource areas.

Visual and Aesthetic Conditions: Because the guideway and stations will be elevated structures, the project would introduce new dominant visual elements in their settings and would block views. As stated in Section 4.8 of the Final EIS, the mass and height of the guideway west of

Pearl City Peninsula would block some residents' views over Middle Loch to Pearl Harbor. In addition, the HHCTCP maintenance and storage facility would be highly visible from low-lying areas along Pearl Harbor. However, many views in this area comprise a wider panoramic scene and would not be substantially affected. Visual effects in this area will range from moderate to significant.

Along Kamehameha Highway, the guideway and the Pearl Harbor Naval Base Station would have moderate visual impacts to the Makalapa Navy Housing Historic District and other DON facilities. HHCTCP elements would dominate the linear view corridor above Kamehameha Highway and partially obstruct views of the Pearl Harbor National Historic Landmark (PHNHL). The HHCTCP, however, would not adversely affect the PHNHL's visual integrity. The highway is a major transportation corridor, and elements of the HHCTCP would fit within this context. Consequently overall visual effects are considered to be moderate.

Cultural and Historic Resources: Analysis of potential effects on DON properties of cultural and historic significance is included in Chapters 4.16 and 5.6.2 of the Final EIS. A portion of the proposed rail corridor runs adjacent to the boundary of the PHNHL. As such, it was determined that construction of the HHCTCP would adversely affect several DON-owned historic resources including the PHNHL, CINCPACFLT Headquarters National Historic Landmark (NHL), Makalapa Navy Housing Historic District, and the Vladimir Ossipoff designed Facility 1514. Due to these adverse effects, the DON participated directly in the HHCTCP Section 106 consultation and is a signatory to the resulting Programmatic Agreement (PA). Further information on the consultation and PA are described below in this ROD.

Cumulative Impacts: The cumulative effects analysis in Section 4.19 of the Final EIS includes evaluation of planned extensions to the HHCTCP and the effects of past, present, and reasonably foreseeable future projects in the study corridor. Table 4-39 in the Final EIS summarizes planned and foreseeable development within the study corridor as documented in the Ewa Development Plan, Central Oahu Sustainable Community Plan, and Primary Urban Corridor Development Plan. There are no projects listed for development in the vicinity of DON property. The DON currently has no programmed new facility construction or development projects within the HHCTCP corridor. Potential future DON actions within the HHCTCP corridor would focus on modernization of existing utilities and would not cause additional environmental impacts in relation to the HHCTCP.

### **Agency Consultation and Coordination**

In accordance with NEPA and HRS Chapter 343, agencies, non-governmental groups and the public were engaged throughout the planning process for the HHCTCP. Government agencies that had an interest in and/or regulatory authority regarding the HHCTCP were actively engaged. The DON was one of five agencies that participated in the proposed action as cooperating agencies. As a cooperating agency, the DON provided comments on both the Draft EIS and Final EIS; its comments and suggestions were satisfied by the joint lead agencies.

The DON was also a signatory to the PA developed through consultation under Section 106 of the National Historic Preservation Act (NHPA). The PA, executed on January 18, 2011,

provides mitigation for adverse effects to historic properties and also outlines procedures to address future unknown effects. The PA also stipulates procedures to protect historic properties, including archeological resources and Native Hawaiian burials, as construction proceeds. The DON, in coordination with the PA signatories, determined that the DON can meet its obligations under Section 106 of the NHPA for proposed real estate actions within the framework of the executed PA. On June 2, 2015, in accordance with Stipulation XIV.G of the PA, the DON fulfilled its Section 106 compliance requirements by notifying the PA signatories of its commitment to the terms of the PA. With the implementation of the PA, the DON agrees that the adverse effects and future unknown adverse effects will be accounted for and mitigated. The PA is included in Attachment B of the FTA ROD.

### **Mitigation Measures**

As stipulated in the PA, the City agreed to implement mitigation measures pertaining to DON-owned historic properties. Specific mitigation measures include: (a) completion of updates to the PHNHL nomination and the CINCPACFLT Headquarters NHL nomination; (b) completion and submittal of National Register of Historic Places nomination forms for other adversely affected DON resources and the potential Little Makalapa Navy Housing Historic District, though it was determined that the HHCTCP would have no adverse effect on this district; (c) completion of Historic American Building Survey (HABS) recordation; (d) post-construction noise monitoring within the PHNHL; and (e) adoption of design standards in compliance with the Secretary of Interior's Standards for the Treatment of Historic Properties for rail stations within the boundaries of, or directly adjacent to, listed historic places or those eligible for listing on the National Register. Although the City is responsible for implementing all mitigation measures identified in the PA, the DON is assisting (providing information and comments) on mitigation measures that affect DON interests and properties.

The FTA and City have also instituted a Mitigation Monitoring Program (Attachment A of the FTA ROD) to ensure that all commitments identified in both the PA and the Final EIS are fulfilled. As stated in the Mitigation Monitoring Plan, the City shall require that a stormwater management system at the maintenance and storage facility be designed so that stormwater discharged into Pearl Harbor meets or exceeds water quality requirements. To address potential noise concerns at JBPHH, the rail system will be designed with parapet walls and wheel skirts to reduce noise below impact criteria levels.

### **Responses to Comments Received on the Final EIS**

The Notice of Availability of the Final EIS was published in the Federal Register on June 25, 2010 (75 FR 36386). The period for agency and the public review ended on August 26, 2010. Attachment C of the FTA ROD, dated January 18, 2011, contains a summary of comments received on the Final EIS and the FTA's responses. Comments related to DON property are discussed below.

Agency Comments: The FTA received a number of letters from local, state, and federal agencies commenting on the Final EIS. One agency comment was directly related to DON property. The U.S. Department of the Interior, Office of Environmental Policy and Compliance questioned

why the USS Utah was not mentioned as being within the PHNHL boundary; why the USS Bowfin and USS Arizona were not mentioned as NHL sites; and expressed a concern that historic views of Makalapa Navy Housing Historic District were not acknowledged in the Section 4(f) analysis.

As indicated in the Final EIS, the FTA's Section 4(f) evaluation considered the PHNHL as a whole, including views from the Makalapa Navy Housing Historic District. On page 4-191 of the document, the USS Utah, USS Bowfin and, USS Arizona are identified as elements of the PHNHL. Section 5.6.2 of the Final EIS explains that the views themselves were not considered a historic feature of the property. Since the elevated guideway would not substantially affect primary views of the district's architectural features, construction of the guideway would not result in a constructive use of the property.

Public Comments: Forty-three letters and emails were received from the public on the Final EIS. Appendix C of the FTA ROD grouped public comments into themes. Two of these themes are related to DON property.

The first theme focused on inclusion of an unsigned PA in the Final EIS. The FTA explained that the PA was executed after the release of the Final EIS. Due to continued discussions with Section 106 consulting parties, the FTA chose to publish the Final EIS with a draft PA instead of waiting to publish the document with an executed agreement. The signed PA was included as Attachment B of the FTA ROD

The second theme concerned visual impacts. Many commenters felt that the visual impacts of the HHCTCP were too great and that the protection of views was inadequate. The FTA's Final EIS indicates that the project would be located in an urban context where visual change would be expected. Even though the City attempted to locate the guideway and its stations with sensitivity to the resulting visual impacts, transportation considerations usually dictated guideway and station locations. As a result, many of the visual effects of the HHCTCP, such as view blockage, could not be mitigated. These unavoidable adverse visual impacts are presented in Section 4.8 of the Final EIS. In addition, the Final EIS includes a commitment to use landscaping to soften, but not eliminate potential visual impacts. The City expressed its commitment to consulting with the affected local communities on the detailed design of landscaping to mitigate visual impacts.

**C. CONCLUSIONS:** As provided in 40 CFR § 1506.3 of the Council on Environmental Quality's regulations for implementing NEPA, a cooperating agency may adopt without recirculating the EIS of a lead agency when, after an independent review of the EIS, the cooperating agency concludes that its comments and suggestions have been satisfied. The DON participated with the FTA and City in the development of the HHCTCP Final EIS as a cooperating agency and its comments and suggestions on the document were fully satisfied by the joint lead agencies. The DON has conducted a careful and independent review and evaluation of this document, concluding that circumstances have not significantly changed and that the Final EIS adequately and accurately analyzed the potential environmental impacts associated with the DON's conveyance of approximately 1.6 acres of real estate and the granting of easements and license agreements in support of the HHCTCP. Therefore, I have made the decision to adopt the HHCTCP Final EIS prepared by the FTA and City and to approve the

undertaking of several real estate actions in support of the proposed action as set out in the Airport Alternative. The Airport Alternative was identified as the preferred alternative by the FTA, City, and DON. Undertaking the real estate actions identified in this ROD will best respond to the needs of the people of the City and County of Honolulu, including the DON's civilian and military workforce, to improve transportation within the highly congested east-west transportation corridor through the construction and operation of a high-capacity rapid transit system. This decision will also comply with Congressional direction in section 2837 of the FY15 NDAA.

6/12/15

Date



Steven R. Iselin

Principal Deputy Assistant Secretary of the Navy  
(Installations, Energy, and Environment)