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- Mark Magusara
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# Hawaii LECET NEWS

Laborers-Employers Cooperation & Education Trust

[www.hilecet.org](http://www.hilecet.org)

November/December 2009 • January 2010

## Rail at a key Turning Point

The final Environmental Impact Statement (EIS) for the Rail Transit Project will be completed soon. Once completed, the final EIS will be sent to the Governor for "acceptance or non-acceptance" which is in accordance with Hawaii Revised Statutes, Chapter 343, Environmental Impact Statements, Section 343-5, (b)(1).

If the Governor's determination is to "accept" the final EIS, then the final EIS is sent to the Federal Transit Administration (FTA). If the FTA approves the EIS, the FTA will issue a Record of Decision (ROD). Once the ROD is received from the FTA, construction can begin.

If the Governor's determination is to "not-accept" the final EIS, the project cannot proceed.

If the Governor should significantly delay her decision to accept the final EIS, this will not only delay the project, but it may put the federal funding (over \$1 billion) for the rail transit project in jeopardy. The federal funds for the rail transit project will not be held indefinitely.

In the *Honolulu Advertiser*, a January 4, 2010 article

reported that "Hawaii will probably hold public hearings on Honolulu rail transit." While public hearings are not required by law, the Governor apparently intends to schedule them. No dates have been set nor the amount of hearings. Numerous public hearings were already held by the City when the draft EIS was released last fall.

The Governor is reported to be asking questions about the final EIS addressing different alternatives and questions about the financial plan. We hope that once she receives the final EIS, she will accept it so that the rail transit project can proceed.

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**What's at Stake?**  
Union signatory contractor Kiewit Pacific Company has the contract to



UH West Oahu Site Rendering

build the first 6.5 miles of elevated rail line from East Kapolei to Pearl Highlands. Kiewit Pacific's proposal was

\$482.9 million and came in \$90 million less than the \$570 million projected cost. Other projects are: (1) awarding of the maintenance facility contract (estimated \$120 million); (2) awarding of the train vehicles and systems contract (estimated \$230 million)

The second rail construction phase Request For Proposal (RFP) is out and will be for the 3.9-mile stretch from Pearl Highlands to Aloha Stadium (estimated at \$350 million).

Another key step is to have the "Public Transit Authority" question placed on the 2010 ballot. The proposal to form a "Public Transit Authority" was approved by the City Council (Resolution 09-252, CD1) on Wednesday, December 16th. The proposal will be on the 2010 general election ballot for approval by the voters on Oahu.

The \$5.5 billion Transit Rail Project will re-energize our slumping economy by creating an estimated 10,000 jobs and is expected to receive more than \$1 billion in federal dollars.

### What is LECET?

Hawaii LECET is a Labor-Management partnership between the Hawaii Laborers' Union, Local 368 and its 270+ signatory employers.

Our primary objective is to help generate business for union contractors and job opportunities for the 5,500 Laborers' Union members, through a concerted effort to expand our market share.

Under the umbrella of the Laborers International Union of North America (LIUNA), Hawaii LECET is one of 29 LECET funds throughout the United States and Canada.

LECET also partners with LIUNA's two other labor-management funds, the Laborers-Associated General Contractors (AGC) Education and Training Fund and the Laborers Health and Safety Fund of North America. Together, these three organizations make up the LIUNA TRI-FUNDS, which are powerful tools used by the Laborers and their employers to keep our workforce on the cutting edge of new skills, technology, and workplace safety.

### What services do LECET provide?

**Government Affairs & Market Development Activities**

Hawaii LECET works in partnership with the Hawaii Laborers' Union (Local 368), the General Contractor Labor Association (GCLA), the Building Industry Labor Association (BILA), and other building industry representatives. Hawaii LECET supports and promotes positive changes

in law, such as laws that create a level playing field on public projects. Hawaii LECET also works to streamline the permitting and approval process.

The trust supports good projects and developments, assisting and supporting responsible landowners and developers with their permitting and zoning requirements.

Hawaii LECET works to

have a good understanding of how different levels of government and different departments function. Our organization meets with key government officials to educate and inform them of our building industry concerns. These relationships with key officials will be very helpful in the future. Hawaii LECET also actively participates in building industry groups and activities.

# From the Director's Desk



**Clyde T. Hayashi,**  
**LECET Director**

*Welcome!* While many feel that the decision on the Oahu Rail Transit Project was made when Oahu residents voted by a large margin to approve the project in the 2008 election, there are still those who are trying their best to "derail" this important project.

The final Rail Transit Environmental Impact Statement (EIS) will be released soon and some rail opponents have made it clear that they intend to take the issue to court. There are others who propose huge changes to the project design

that would delay the project significantly or even kill it.

The final EIS will be sent to Governor Lingle soon. Some are concerned that the Governor has given indications that she will not accept the EIS. Others fear she will intentionally "drag her feet" to potentially kill the project. Others say that the Governor is just fulfilling her fiduciary responsibility and will accept the EIS after she gives it a

proper review. With the announcement that she intends to hold public hearings, which are not required under the law, it appears that she will not be accepting the EIS quickly. For the sake of the building industry, our overall economy, and the people of Oahu, let's hope this is not the case.

The 2010 Hawaii State Legislature is fast approaching and calls to raid or use the rail transit funds can be heard. To do so would be disastrous as it will jeopardize the federal funding. Hawaii LECET will be working with Local 368 & employer organizations to oppose any such proposals.

The "Rail Transit Authority" question will be on the 2010 ballot. It will take a huge community effort to ensure this much needed authority is approved.



Economists project a dismal 2010 & 2011, especially for construction, and all forecasts have not included the rail transit project. The 2010 start of the rail transit project would change their projections dramatically!

I hope you have all enjoyed the Holidays. Let's all work together to make 2010 a better year than 2009.

*Happy New Year!*

## Mauna Kea CMP Victory!

In April 2009, the Board of Land and Natural Resources (BLNR) approved the full Mauna Kea Comprehensive Management Plan (CMP), pending the completion of four sub-plans. After the approval, opponents of the CMP and the Thirty Meter Telescope (TMT) requested a contested case hearing. The BLNR denied their request. On October 1, 2009, the opponents filed suit asking the court to direct the BLNR to allow the court to direct the BLNR to allow the opponents to have a contested case hearing on the adoption of the CMP. The hearing was held on December 9, 2009 in Hilo before Judge Glenn Hara. Judge Hara had made the decision in the Outrigger-Keck case which directed UH to complete a CMP.

Prior to the hearing, a large community coalition had two sign-

waving events to clearly show the huge community support for the CMP and the TMT. Members of the Big Island Labor Alliance (including Local 368), Big Island business organizations, astronomy community, Waiakea High School robotics club, and others lined the streets of Hilo in front of the new judiciary building. On December 30, 2009, Judge Hara issued a decision denying the request. This is a huge victory and allows the CMP process to continue to its completion. The TMT is still on schedule and the \$1.2 billion plus project will build the world's largest telescope, secure Mauna Kea/Hawaii as a premier spot for astronomy, and create much needed jobs for our contractors and members on the Big Island.



## M C A H SCHOLARSHIP



AIA Honolulu (American Institute of Architects), Structural Engineers Assoc. of Hawaii, Laborers' Union, Mason's Union and the Mason Contractors Assoc. of Hawaii organizations are pleased to offer the opportunity for you to apply for this scholarship. To be eligible for this scholarship, you must be a dependent of a member of one of the above organizations.

The following criteria will be used in judging the applicants: Financial need, Academics, Letter of Recommendations, Short Essay Question, Community Involvement, Special Recognition, Student Activities, and Thoroughness of application.

The application must be completely filled out to provide the selection committee with the necessary information to judge all applicants. It is the **applicant's responsibility** to insure that the two letters of recommendations are submitted to the scholarship committee by the May 15, 2010 deadline.

To apply for this scholarship or if you have any questions, please call Brian Awakuni at (808) 384-1487



Hawaii LECET, working in conjunction with the Hawaii Laborers' Training Program (HLTP), sponsors the Hawaii Construction Industry Awareness Program for local Hawaii high schools.

On December 3rd, we welcomed a total of 25 Farrington High School students. Three more public schools have signed up for the awareness program which will take place before the end of the school year.

Each student participated in "hands-on" exercises such as a

wheel barrow race, concrete chipping, and suiting up in environmental protective gear.

At the end of the exercises, students and their chaperones were provided with a lunch bento, drinks, and a certificate of completion, along with some Hawaii LECET goodies.

Our hope is that this program will give the students a better understanding of a Laborers' duties on the construction job site and provides them a real alternative after graduating from high school.



## Hawaii Construction Industry Awareness Program



## LOCAL 368 SUBCONTRACTORS

Hawaii LECET will be periodically providing a signatory list by work agreement type. This is to assist unionized general contractors with Local 368 in attaining sub-bids from unionized specialty subcontractors. For an updated list, please contact us by phone or email.

### MASON CONTRACTORS

AFFILIATED CONSTRUCTION, LLC	676-5542	MOONLIGHT MASONRY & LANDSCAPE	384-0719
B & C MASONRY	836-8873	NISA CONTRACTOR	689-6300
BEDROCK FLOORS, INC	330-3056	ONO CONSTRUCTION, LLC	682-1465
BEST SAMARITAN CONTRACTOR	782-6570	PACIFIC RIM LANDSCAPE	636-2100
CONSTRUCTION ASSOCIATES, INC	423-8766	QUALITY GENERAL, INC.	487-3614
DURA CONSTRUCTORS, INC	952-9499	REEF DEVELOPMENT OF HAWAII	488-1228
FOUNDATIONS HAWAII INC	678-9522	SF MASONRY (AIVAO KANOA)	874-5659
K. MASONRY, INC.	947-9449	TG MASONRY	242-8878
KEALOHA CONSTRUCTION INC.	249-0919	TKG MASONRY	357-2623
L & F MASONS LLC	373-3441	TOKUNAGA MASONRY, INC	839-4672
LIU CONSTRUCTION INC	841-1895	YOSHIMURA, T CONTRACTING INC	988-1210
MASANIAI, T. CONTRACTOR	639-4273		