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GOVERNOR OF HAWAII



**STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621  
HONOLULU, HAWAII 96809

**WILLIAM J. AILA, JR.**  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

**ESTHER KIA'AINA**  
FIRST DEPUTY

**WILLIAM M. TAM**  
DEPUTY DIRECTOR - WATER

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BOATING AND OCEAN RECREATION  
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COMMISSION ON WATER RESOURCE MANAGEMENT  
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ENGINEERING  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
KAOHOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

**Testimony of  
WILLIAM J. AILA, JR.  
Chairperson**

**Before the House Committee on  
FINANCE**

**Friday, February 22, 2013  
11:00 AM  
State Capitol, Room 308**

**In consideration of  
HOUSE BILL 509, HOUSE DRAFT 1  
RELATING TO RELATING TO MAKUA VALLEY**

House Bill 509, House Draft 1 proposes to establish the Makua Valley Reserve Advisory Committee to oversee preservation and restoration activities in Makua Valley on Oahu. **The Department of Land and Natural Resources (Department) supports this measure with comments.**

The Department believes that Makua Valley (Valley) is rich in natural and cultural resources and finds that the creation of an advisory committee provides a sensitive approach to appropriately managing the Valley. The Department further believes that natural resource management should be adequately represented on the advisory committee. Makua Valley, particularly the side valleys and ridges, is rich in native Hawaiian species, many of which are listed as state and federal threatened and endangered species.



**DEPARTMENT OF THE ARMY**  
REGIONAL ENVIRONMENTAL AND ENERGY OFFICE - WESTERN  
US CUSTOM HOUSE  
721 19<sup>TH</sup> STREET, ROOM 427  
DENVER, CO 80202-2530

22 February 2013

Regional Environmental & Energy Office - Western

House Committee on Finance  
Hawaii State Capitol, Room 308  
415 South Beretania Street  
Honolulu, HI 96813

Re: House Bill 509 HD1, Makua Valley Reserve Commission

Dear Chairperson Luke, Vice Chairmen Nishimoto and Johanson:

The Army's Regional Environmental & Energy Office - Western (REEO-W) is the US Army's liaison to the states in the Western US. Our mission is to work with states on environmental and sustainability topics in order to avoid conflicts when possible, and help resolve issues efficiently. As Director of the REEO-W, I want to express our opposition to HB 509, which would establish a Makua Valley Reserve Commission under the Hawaii Department of Land and Natural Resources.

The US Army opposes HB 509 HD1, for two reasons: (1) The proposed action is premature because there are no plans to close the Makua Military Reservation (MMR); and (2) The US Army has a current need for live-fire maneuver training.

Makua Valley consists of 4,190 acres, of which 82% or 3,408 acres is ceded and fee simple lands of the US Government. The remaining 18% or 782 acres is leased by the State to the US Government and is part of the MMR under control of the US Army. This lease expires in August 2029. HB 509 HD1 is premature because there are no plans to close the training area in Makua.

National security concerns have shifted to the Pacific area of operations. These threats highlight the need for the US Army to continued access to MMR. MMR is one of the only collective training area on O'ahu that offers realistic live-fire training required to certify ground troops prior to combat deployments. Forces are forward-based in Hawaii as deterrent forces, and they are required to be held in combat ready status for immediate, no-notice deployment, a critical mission to national defense. These training and readiness requirements also apply to the Hawaii Army National Guard and Hawaii based Reserve units of the US Army and Marine Corps, which continue to be deployed to Afghanistan and other over-seas locations.

The US Army retains a professional environmental staff and continues to spend \$6 - 7 million annually to protect and restore endangered species and cultural sites in the Makua Valley. The US Government is the largest contributor to environmental and cultural preservation and restoration on the Leeward Coast and throughout the State. We continue to enjoy a very good working relationship with Hawaii state agencies, including the Department of Land and Natural Resources and its Historic Preservation Division and the Department of Health.

Thank you for the opportunity to provide our comments. The MMR plays a significant role in readiness training for our troops, and we will continue to protect and restore the species and cultural sites in Makua Valley in order to sustain this vital asset. My point of contact is Mr. Park Haney at 303-844-0957.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mark A. Mahoney', written in a cursive style.

Mark A. Mahoney  
Director, REEO-W



**HB509 HD1**  
**RELATING TO MAKUA VALLEY**  
House Committee on Finance

February 22, 2013

11:00 a.m.

Room 308

The Office of Hawaiian Affairs (OHA) **SUPPORTS WITH AMENDMENTS** HB509 HD1, which would establish the Mākua Valley Reserve Advisory Committee to facilitate the transfer, restoration, and management of Mākua Valley on the island of O‘ahu.

**This bill will facilitate the rehabilitation, protection, and management of cherished Mākua Valley on the Wai‘ānae coast of O‘ahu.** Mākua Valley is a site of great historic, cultural, and environmental significance, whose protection has been the subject of substantial community activism for nearly two decades. The valley historically hosted a thriving Native Hawaiian population that cultivated and lived off of the abundant resources in the region. The valley was also historically used as a port of landing for voyaging canoes, and was the location of a number of cultural institutions, including reknowned hālau lua and hālau hula. In addition, a number of native plants and animal species have and continue to live in Mākua valley, many of which are currently considered threatened or endangered with extinction.

Unfortunately, since the early twentieth century, Mākua Valley has suffered continuous desecration by extensive military training and weapons testing, which has destroyed or damaged many of the natural and cultural resources and sites formerly contained within the area. Thanks to nearly 20 years of community efforts, including lawsuits by cultural groups and environmental organizations, military live-fire training has ceased in the valley. However, there continue to be concerns regarding the existence of toxins, unexploded ordinances, and other hazards that may remain from nearly 100 years of military occupation.

By establishing a committee of cultural and biological experts, with appropriate government and community representatives, OHA believes that this bill will accordingly help the state and its residents, including Native Hawaiian historians and cultural practitioners, take a significant step forward in the immense task of rehabilitating, protecting, and managing the land and resources in cherished Mākua Valley.

To more appropriately reflect the administrative structure of the OHA, OHA requests that lines 20-22 of page 2 be replaced with the following:

(5) One member shall be the administrator of the office of Hawaiian affairs, or the administrator’s designee;

Therefore, OHA urges the Committee to **PASS WITH AMENDMENTS** HB509 HD1. Mahalo for the opportunity to testify on this measure.

**Testimony to the House Committee on Finance  
Friday, February 22, 2013  
11:00 AM  
Conference Room 308**

**RE: HOUSE BILL NO. 509, RELATING TO MAKUA VALLEY**

**Chair Luke, Vice Chairs Nishimoto and Johanson, and members of the Committee.**

**My name is Charles Ota and I am the Vice President for Military Affairs at The Chamber of Commerce of Hawaii (The Chamber). This written testimony is submitted to offer comments relating to House Bill No. 509, Relating to Makua Valley.**

**The measure proposes to amend Chapter 171 of the Hawaii Revised Statutes by adding a new section to Part 1 establishing the Makua Valley Reserve Advisory Committee to develop a comprehensive plan for restoring and preserving the valley reserve, which is defined in the measure to mean the area designated on the island of O`ahu as Makua Valley.**

**Makua Valley consists of about 4,190 acres in total.**

**Of that total acreage, 18% or 732 acres of the land area on the western end of the valley at the shoreline is state owned and leased to the federal government. This land area includes the public highway and beachfront property, and has not been used for combat training after the military suspended amphibious assault exercises.**

**The remaining 82% of the land in Makua Valley, or about 3,458 acres extending from the western end leased by the state to the mauka or eastern end, is owned by the federal government. This federally owned land is the site that had been used for company-level combined arms assault training exercises. The military has developed plans to modernize this range complex to meet the projected training requirements for the 21<sup>st</sup> century force.**

**Military use of the 3,458 acres owned by the federal government is expected to continue well into the future.**

**In light of the above clarifying comments, it may not be timely for the state to consider establishing an advisory committee to develop a comprehensive plan to restore and preserve the 732 acres of leased land at Makua Valley.**

**Thank you for the opportunity to comment on this measure.**

## **FINTestimony**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, February 21, 2013 12:22 AM  
**To:** FINTestimony  
**Cc:** kyle.kajihiro@gmail.com  
**Subject:** Submitted testimony for HB509 on Feb 22, 2013 11:00AM

### **HB509**

Submitted on: 2/21/2013

Testimony for FIN on Feb 22, 2013 11:00AM in Conference Room 308

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kyle Kajihiro	Hawai i Peace and Justice	Support	No

Comments: Hawai i Peace and Justice (formerly the American Friends Service Committee Hawai i Program) has long supported the Wai anae community's efforts to reclaim and restore its lands to more sustainable, productive and peaceful uses. Makua is a special place that needs to be restored and protected. Thank you for your support of HB509 HD1, which provides the community an opportunity to have a say in the future of Makua valley.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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# EARTHJUSTICE

ALASKA CALIFORNIA FLORIDA MID-PACIFIC NORTHEAST NORTHERN ROCKIES  
NORTHWEST ROCKY MOUNTAIN WASHINGTON, D.C. INTERNATIONAL

REPRESENTATIVE SYLVIA LUKE, CHAIR  
REPRESENTATIVE SCOTT Y. NISHIMOTO, VICE-CHAIR  
REPRESENTATIVE AARON LING JOHANSON, VICE-CHAIR  
HOUSE COMMITTEE ON FINANCE

TESTIMONY RE: HOUSE BILL NO. 509, H.D. 1  
RELATING TO MĀKUA VALLEY

February 22, 2013, 11:00 a.m.  
Conference Room 308

Good morning Chair Luke, Vice-Chairs Nishimoto and Johanson, and members of the Committee:

My name is David Henkin, and I am an attorney with Earthjustice. We appreciate the opportunity to offer this testimony regarding House Bill No. 509, House Draft 1. Earthjustice strongly supports the intent of this bill, which is to start planning for the return of Mākua, Kahanahāiki and Ko'iahi to the people of Hawai'i, so these sacred lands can once again be put to productive and appropriate use.

We respectfully ask you to pass HB 509 HD1. Thank you for the opportunity to offer this testimony.



## **FINTestimony**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, February 20, 2013 10:10 PM  
**To:** FINTestimony  
**Cc:** castanha@hawaii.edu  
**Subject:** \*Submitted testimony for HB509 on Feb 22, 2013 11:00AM\*

### **HB509**

Submitted on: 2/20/2013

Testimony for FIN on Feb 22, 2013 11:00AM in Conference Room 308

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Dr. Anthony Castanha	Individual	Support	No

### Comments:

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## **FINTestimony**

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**From:** mailinglist@capitol.hawaii.gov  
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**To:** FINTestimony  
**Cc:** pamelapcm@gmail.com  
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### **HB509**

Submitted on: 2/20/2013

Testimony for FIN on Feb 22, 2013 11:00AM in Conference Room 308

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Pamela Williams	Individual	Support	No

### Comments:

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Representative Sylvia Luke, Chair  
Representative Scott Y. Nishimoto, Vice-Chair  
Representative Aaron Ling Johanson, Vice-Chair

House Committee on Finance

Testimony Re: House Bill No. 509, H.D.1  
Relating to Makua Valley

February 22, 2013, 11:00 a.m.  
Conference Room 308

Aloha Chair Luke, Vice-Chairs Nishimoto and Johanson, and members of the Committee:

My name is Kala Keliinoi. I am a descendant to the lands of Makua as my ancestors inhabited those lands for many generations, long before the occupation of the lands by the government. I am a member of Malama Makua. With other descendants and friends, I regularly participate in cultural access and Makahiki ceremonies at Makua. I strongly support this bill, which is to start planning for the return of the sacred lands of Makua, Kahanahaiki and Kolahi to the people of Hawaii.

The termination date of the federal government's lease of land in Makua is August 2029. It is imperative that the Makua valley reserve commission enter into meaningful discussions with the Army to ensure the clean-up of unexploded ordinance and expansion of opportunities for cultural access which will help to avoid transfer problems. Clean-up of the land and sea in Makua should begin now while the reserve is still under Army control.

I respectfully ask you to pass House Bill 509 HD 1.

Representative Sylvia Luke, Chair  
Representative Scott Y. Nishimoto, Vice-Chair  
Representative Aaron Ling Johanson, Vice-Chair

House Committee on Water and Land  
Testimony Re: House Bill No. 509, H.D.1  
Relating to Makua Valley

February 22, 2013, 11:00 a.m.  
Conference Room 308

Aloha Chair Luke, Vice-Chairs Nishimoto and Johanson, and members of the Committee:

My name is Paulette Ka'anohiokalani Kaleikini. I am a member of Malama Makua. I strongly support the basic intent of this bill, which is to start planning for the return of the sacred lands of Makua, Kahanahaiki and Koiahi to the people of Hawaii.

The termination date of the federal government's lease of land in Makua is August 2029. It is imperative that the Makua valley reserve commission enter into meaningful discussions with the Army to ensure the clean-up of unexploded ordinance and expansion of opportunities for cultural access which will help to avoid transfer problems. Clean-up of the land and sea in Makua should begin now while the reserve is still under Army control.

I respectfully ask you to pass House Bill 509 HD 1.

Representative Sylvia Luke, Chair  
Representative Scott Y. Nishimoto, Vice-Chair  
Representative Aaron Ling Johanson, Vice-Chair

House Committee on Finance

Testimony Re: House Bill No. 509, H.D.1  
Relating to Makua Valley

February 22, 2013, 11:00 a.m.  
Conference Room 308

Aloha Chair Luke, Vice-Chairs Nishimoto and Johanson, and members of the Committee:

My name is Aliikaua Kaleikini. I am a descendant to the lands of Makua as my ancestors inhabited those lands for many generations, long before the occupation of the lands by the government. I am a member of Malama Makua. With other descendants and friends, I regularly participate in cultural access and Makahiki ceremonies at Makua. I strongly support this bill, which is to start planning for the return of the sacred lands of Makua, Kahanahaiki and Koiahi to the people of Hawaii.

The termination date of the federal government's lease of land in Makua is August 2029. It is imperative that the Makua valley reserve commission enter into meaningful discussions with the Army to ensure the clean-up of unexploded ordinance and expansion of opportunities for cultural access which will help to avoid transfer problems. Clean-up of the land and sea in Makua should begin now while the reserve is still under Army control.

I respectfully ask you to pass House Bill 509 HD 1.

Representative Sylvia Luke, Chair  
Representative Scott Y. Nishimoto, Vice-Chair  
Representative Aaron Ling Johanson, Vice-Chair

House Committee on Finance

Testimony Re: House Bill No. 509, H.D.1  
Relating to Makua Valley

February 22, 2013, 11:00 a.m.  
Conference Room 308

Aloha Chair Luke, Vice-Chairs Nishimoto and Johanson, and members of the Committee:

My name is Kilinahe Kelilnoi. I am a descendant to the lands of Makua as my ancestors inhabited those lands for many generations, long before the occupation of the lands by the government. I am a member of Malama Makua. With other descendants and friends, I regularly participate in cultural access and Makahiki ceremonies at Makua. I strongly support this bill, which is to start planning for the return of the sacred lands of Makua, Kahanahaiki and Koiahi to the people of Hawaii.

The termination date of the federal government's lease of land in Makua is August 2029. It is imperative that the Makua valley reserve commission enter into meaningful discussions with the Army to ensure the clean-up of unexploded ordinance and expansion of opportunities for cultural access which will help to avoid transfer problems. Clean-up of the land and sea in Makua should begin now while the reserve is still under Army control.

I respectfully ask you to pass House Bill 509 HD 1.

February 21, 2013

Chair Luke

Vice Chair Nishimoto

RE: HB NO. 509

Relating to Makua Valley

Aloha Chairs and Committee members,

I am submitting this testimony in support of a Makua Valley Advisory Committee. As a cultural practitioner and a longtime resident of the Leeward Coast, I have actively participated in the preservation of Makua Valley dating back to the 70's.

Not only is the Valley important to the residents of the Leeward Coast it holds medicinal plants, limu as well as cultural and historic sites that all of our residents will benefit from. Preservation and protection of this site is extremely important .

The suggested composition of the committee's make up ensures that both the community's concerns and the states are represented.

Mahalo for hearing this bill, should you have any concerns that I am able to answer please feel free to reach me at [Cattee@hawaii.rr.com](mailto:Cattee@hawaii.rr.com) or 808-389-1967.

Malama Pono

Cathie Alana MPA, CSAC, LMT

Aloha to all the members of the finance committee,

February 21, 2013

Am writing in full support of the intent of HB 509 HD1 which is to establish the Makua valley reserve advisory committee to provide advice on any federal conveyance of lands within Makua valley to the State and to develop a comprehensive plan for restoring and preserving the valley reserve. The establishment of the advisory committee will provide a system that recognizes, reinforces, and facilitates the continuation of Makua valley's important cultural and educational significance, as well as its ecological and natural resources.

Am a 34 year resident of Lualualei Valley in Wai`anae and have been very active in the care and cleanup of Makua Valley since the mid-1990s. I speak on behalf of my family including my daughter-in-law whose family (Punua) has genealogical ties to Makua and four granddaughters, three of which are also related to Makua by name- Ko`iahi, Ma`aloa and Kula`ila`i. It is of great importance that we prepare for the return of our valley. As a member of the summer 2003 uxo cleanup crew in Makua Valley, there is no doubt that the valley can be sufficiently cleaned up and made safe for human use.

Mahalo nui for your care and concern for our `aina and our future.

malama Makua,

Vince Kana`i Dodge



## **FINTestimony**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, February 21, 2013 9:46 AM  
**To:** FINTestimony  
**Cc:** Jrkeoneakapu@gmail.com  
**Subject:** Submitted testimony for HB509 on Feb 22, 2013 11:00AM

### **HB509**

Submitted on: 2/21/2013

Testimony for FIN on Feb 22, 2013 11:00AM in Conference Room 308

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
JR Keoneakapu Williams	Individual	Support	No

Comments: As a cultural practitioner who lives in Waianae Moku I strongly support the intent of this bill. I use Makua beach as a spiritual place to go and exercise my religious beliefs. The army does not need to use Makua as a target it is time for them to clean it up and leave! Mahalo

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