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**APPENDIX B**

**PUBLIC INVOLVEMENT**

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# APPENDIX B

## PUBLIC INVOLVEMENT

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### B.1 NATIONAL ENVIRONMENTAL POLICY ACT AND PUBLIC INVOLVEMENT

Under the National Environmental Policy Act (NEPA), federal agencies are required to consider the environmental impacts of proposed actions before acting on them. Actions that involve federal funding and permits, federal facilities and equipment, and those that affect federal employees are subject to NEPA. The proposal to train at Mākuā Military Reservation (MMR) is subject to NEPA requirements, and an environmental impact statement (EIS) is being prepared.

### B.2 PUBLIC INVOLVEMENT

Public involvement efforts for the preparation for the MMR training activities are described below.

A notice of intent (NOI) was published by the Army in the *Federal Register* on March 20, 2002. In the notification, the public was informed of the upcoming scoping meetings to be held in the communities, and was given a mailing address and an e-mail address to which written comments could be sent. Comments were accepted through April 27, 2002, two weeks past the date of the last meeting. An additional extension for comments was given, when the transcripts were released for review. Comments on the NOI were accepted until May 28, 2002.

Before the analysis for the EIS began, public scoping meetings were held in the communities to allow for the exchange of information, and to gather public input on the proposed action. Two meetings were held on the following days at the following locations:

- April 9, 2002- Nānākuli High School; and
- April 13, 2002- Wai‘anae District Park.

To encourage public involvement, notices were placed in local newspapers announcing public scoping meetings, information meetings for related studies, the

availability of drafts, and contacts for any comments. Also published in the newspapers were deadlines for comments and any extensions to those deadlines.

Other meetings that were held in conjunction with the MMR EIS were public informational meetings. Two meetings were held to inform the community about the Air Sampling and Analysis Plan Supporting the 2002-2003 Environmental Impact Statement on Military Training Activities, as well as the Hydrogeologic Investigation Work plan for soil, surface water, and groundwater. These meetings were held on July 16 and 18, 2002. At these meetings, technical information on the draft protocols for soil, water, and air sampling were discussed with the public. Meeting attendees were given the opportunity to have their comments recorded by a court reporter. Comments and concerns on suggestions for locations of the test units for air, noise, and water studies, and the suite of analytes to be tested were incorporated into the sampling and analysis plans. The local community also shared their knowledge of wind patterns and other area conditions that would help in determining locations for representative samples to be taken. Comments and concerns expressed at these meetings for the *muliwai* located on the beaches that front MMR resulted in another sampling and analysis plan for the *muliwai* sediment.

Public drafts of the sampling and analysis plans were made available to the public through community libraries, direct mailing, and a website devoted to the MMR EIS and other related documents ([www.makuaeis.com](http://www.makuaeis.com)). The public draft documents were placed in the following public libraries:

- Hawai'i State Library;
- Wai'anae Public Library;
- Wahiawā State Library; and
- Pearl City Public Library.

Two additional meetings addressed cultural site access and unexploded ordnance clearance. These meetings were held on September 24 and December 10, 2002. The purpose of these meetings was to identify high priority areas for clearing unexploded ordnance and to focus on increasing access to cultural sites. The Draft Prescribed Burn Environmental Assessment was presented at the September 24, 2002 meeting. Cultural sites that had been identified since the September 24 meeting were presented at the December 10, 2002 meeting. Members of the community were given the opportunity to make comments on their need for access to all cultural sites.

### **B.3 METHODS OF COMMENT COLLECTION AND ANALYSIS**

Throughout the public commenting periods, comments could be mailed in or made through oral testimony at public meetings and recorded by a professional stenographer. All comments received were reviewed by EIS resource authors.

#### **B.4 PUBLIC INVOLVEMENT MATERIALS**

The following materials were included in the public involvement process and are presented in Appendix B-1:

- Notice of Intent, *Federal Register*, March 20, 2002;
- Public notice for EIS scoping meetings as published in the *Honolulu Advertiser*, March 27, 29, 31, 2002;
- Public notice for EIS scoping meetings as published in the *Honolulu Star-Bulletin*, March 27, 29, 31, 2002;
- Public notice for EIS scoping meetings as published in *Midweek*, March 27, 2002;
- Public notice for EIS scoping meetings as published in *The Environmental Notice*, April 8, 2002;
- Mākua Military Reservation Training Activities, Environmental Impact Statement Preparation (handout);
- NEPA & the EIS Process (handout);
- The Need for Mākua Military Reservation (handout);
- Settlement Agreement Summary (handout);
- Public Comment Form;
- Public notice for public information meeting for draft protocols of studies on July 16, 2002;
- Public notice for public meeting to identify high priority areas for clearing unexploded ordnance on September 24, 2002;
- Annual Report on Unexploded Ordnance Clearance, October 2001-October 2002;
- Public notice of public meeting to focus on increasing access to cultural sites on December 10, 2002;
- Update on Actions for Mākua Settlement Agreement and Environmental Impact Statement (EIS) Preparation as of December 10, 2002; and
- Handout for Public Meeting on Cultural Access at Mākua, 10 December 2002.

## **B.5 PUBLIC DRAFT RELEASES AND COMMENT PERIODS**

<u>Draft</u>	<u>Public Comment Start</u>	<u>Public Comment End</u>
Air Sampling and Analysis Plan	June 8, 2002	August 6, 2002
Hydrogeologic Investigation Work Plan for Mākua Military Reservation	June 8, 2002	August 6, 2002
Prescribed Burn Environmental Assessment	August 2, 2002	October 1, 2002
Muliwai Sediment Sampling and Analysis Plan	December 20, 2002	February 17, 2003

## **B.6 PUBLIC MEETING SUMMARIES**

The summaries presented in Appendix B-2 address oral comments that were made at the public meetings. Full transcripts were made available in the public libraries.

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**APPENDIX B-1**

**PUBLIC INVOLVEMENT MATERIALS**

**FOR FURTHER INFORMATION CONTACT:** Martin Walsh, International Trade Specialist, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 482-3400.

**SUPPLEMENTARY INFORMATION:**

**Authority:** Executive Order 11651 of March 3, 1972, as amended; Section 204 of the Agricultural Act of 1956, as amended (7 U.S.C. 1854).

In a notice and letter to the Commissioner of Customs published in the *Federal Register* on August 24, 1989 (54 FR 35223), CITA directed the U.S. Customs Service to apply all otherwise applicable visa and quota requirements to textiles and textile products which are classified as components of a set. This directive applied to all items which, if imported separately, would have required a visa and the reporting of quota. Recently, there has been uncertainty concerning the continuing applicability of this directive. The letter published below reconfirms the previously published directive.

**D. Michael Hutchinson,**

*Acting Chairman, Committee for the Implementation of Textile Agreements.*

**Committee for the Implementation of Textile Agreements**

March 15, 2002.

Commissioner of Customs,  
*Department of the Treasury, Washington, DC 20229.*

This letter reconfirms the directive of August 18, 1989 that clarified the intent of the Committee for the Implementation of Textile Agreements on the applicability of visa requirements and quota reporting of textiles and textile products entered as components of sets under General Rule of Interpretation (GRI) 3 of the Harmonized Tariff Schedule (HTS).

Effective on March 18, 2002, the directive of August 18, 1989 is reissued as follows:

Under the terms of Section 204 of the Agricultural Act of 1956, as amended (7 U.S.C. 1854); and in accordance with the provisions of Executive Order 11651 of March 3, 1972, as amended; all applicable visa and quota requirements will apply for textiles and textile products which are classified as components of a set. This rule applies to all items which, if imported separately, would have required a visa and the reporting of quota.

Effective on March 18, 2002, you are directed to prohibit entry for consumption or withdrawal from warehouse for consumption into the United States (i.e., the 50 states, the District of Columbia and the Commonwealth of Puerto Rico) of any textile item for which classification is claimed as sets under GRI 3 of the HTS, where a separate textile category currently exists or comes into existence requiring separate reporting of the components forming those sets.

Entry shall be permitted if all visa and quota requirements are met.

The Committee for the Implementation of Textile Agreements has determined that these actions fall within the foreign affairs exception to the rulemaking provisions of 5 U.S.C. 553(a)(1).

Sincerely,  
D. Michael Hutchinson,  
*Acting Chairman, Committee for the Implementation of Textile Agreements.*  
[FR Doc.02-6804 Filed 3-18-02; 9:54 am]  
BILLING CODE 3510-DR-S

**DEPARTMENT OF DEFENSE**

**Department of the Air Force**

**HQ USAF Scientific Advisory Board**

**AGENCY:** Department of the Air Force, DoD.

**ACTION:** Notice of meeting.

**SUMMARY:** Pursuant to Public Law 92-463, notice is hereby given of the forthcoming meeting of the Task Force on the Threat of Asymmetric Attack. The purpose of the meeting is to allow the SAB and study leadership to review their progress on strategies for the conduct of asymmetric warfare. This meeting will be closed to the public.

**DATES:** April 1, 2002.

**ADDRESSES:** Frost & Associates, 660 Southpointe Court, Suite 210, Colorado Springs, CO 80906.

**FOR FURTHER INFORMATION CONTACT:** Mr. Robert Ripperger, Air Force Scientific Advisory Board Secretariat, 1180 AirForce Pentagon, Rm 5D982, Washington DC 20330-1180, (703) 697-4811.

**Pamela D. Fitzgerald,**

*Air Force Federal Register Liaison Officer.*  
[FR Doc. 02-6679 Filed 3-19-02; 8:45 am]

BILLING CODE 5001-05-U

**DEPARTMENT OF DEFENSE**

**Department of the Army**

**Preparation of Environmental Impact Statement (EIS) for Military Training Activities at Makua Military Reservation, Oahu, Hawaii**

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

**ACTION:** Notice of intent.

**SUMMARY:** The Army proposed to resume consistent military training activities at Makua Military Reservation (MMR), Oahu, Hawaii, to provide for company level, modified live-fire exercises. In accordance with the Settlement Agreement and Stipulated Order between Malama Makua and the United States Department of Defense, filed 4 October 2001 (the "Settlement Agreement"), the Army will conduct a limited number of live-fire training exercises during the term specified within for the preparation of the subject

EIS. The Army needs to conduct a minimum of 18 company-level, combined arms, live-fire exercises per year. Other military components that have used Makua in the past include the Marine Corps, Army Reserves, and the Hawaii Army National Guard, which further increases the total number of required company combined-arms live-fire exercises (CALFEXs) per year. Conducting the required number of company CALFEXs is critical to maintaining the readiness of all military units assigned or stationed in Hawaii. Training at the company level is one of the key building blocks in the Army's progressive training doctrine where smaller units first train as smaller units and then train collectively as part of a larger unit. The training that a new infantry company commander receives during a company-level CALFEX is invaluable in teaching him the skills required to coordinate the combined arms support provided by helicopter, artillery, mortar, and combat engineer support teams when attacking an objective. These communication and coordination skills are essential later when several companies join together and train/fight as a battalion under the control of a battalion commander. The EIS will address, among other things, the potential direct, indirect and cumulative environmental impacts associated with the proposal to continue military training activities at MMR. The EIS development process will be conducted in accordance with the aforementioned Settlement Agreement and Stipulated Order.

**ADDRESSES:** Written comments may be forwarded to Mr. Calvin K. Mashita, U.S. Army Corps of Engineers, Honolulu Engineer District, Programs and Project Management Division, ATTN: CEPOH-PP-E (Mashita), Building 230, Fort Shafter, Hawaii 96858-5440.

**FOR FURTHER INFORMATION CONTACT:**

*Makua training activities:* Colonel William E. Ryan III, (808) 656-1289, fax (808) 656-1259; email

*William.ryaniii@usace.army.mil* or by writing to Director of Public Works, U.S. Army Garrison Hawaii (USAG-HI), Schofield Barracks, Hawaii 96857-5013.

*EIS information:* Mr. Calvin K. Mashita, (808) 438-8417; fax (808) 438-8865; email *calvin.k.mashita@poh01.usace.army.mil* or by writing to Mr. Mashita at the above address.

**SUPPLEMENTARY INFORMATION:** Proposed alternatives to be considered may include, but not be limited to, the following:

(1) *Alternative 1:* Modified Live-Fire Training at Makua Military Reservation

(Proposed Action). The Army would conduct company CALFEXs at MMR but with certain restrictions. In particular, the Army would eliminate the use of TOW missiles, incendiary munitions, and tracers. Under this alternative, the Army will not be limited to the current number of CALFEXs specified in the Settlement Agreement.

(2) *Alternative 2*: No action. The Army will not conduct live-fire training exercises at MMR, except for the limited number of modified CALFEXs authorized by the Settlement Agreement.

(3) *Alternative 3*: Conduct CALFEX Training at an Alternate Site. Personnel and equipment required for CALFEX Training would be transported to one of the following alternate sites:

(a) *Alternative 3A*: Pohakuloa Training Area (PTA) on the Big Island of Hawaii.

(b) *Alternative 3B*: Continental United States (CONUS).

(c) *Alternative 3C*: A replacement training facility at another Army installation on Oahu. The Army would construct another facility on Oahu that could accommodate the company CALFEXs.

(4) *Alternative 4*: Return to Training Less Restrictive Than the Proposed Action. The Army would train with less restrictions on the types of weapon systems and the numbers of training exercises. For example, the Army would resume the use of tracer ammunition.

(5) *Alternative 5*: Conduct Non-Live Fire Training at MMR. The Army would conduct training exercises at MMR but without any live firing of weapons or devises otherwise of an incendiary nature.

*Scoping Process*: Federal, state and local agencies, and the public are invited to participate in the scoping process for the completion of this EIS. The scoping process will help identify potential impacts and key issues to be analyzed in the EIS. Individuals or organizations wishing to participate in the scoping process are invited to participate in a scoping meeting to be held in the Waianae District, on the island of Oahu. Notification of the time and location for the scoping meeting will be published in local newspapers. Additionally, written comments on the scope of analysis are invited and will be accepted within 15 days after the scoping meeting.

Dated: March 15, 2002.

**Raymond J. Fatz,**  
*Deputy Assistant Secretary of the Army,*  
*(Environment, Safety and Occupational Health) OASA(I&E).*  
[FR Doc. 02-6687 Filed 3-19-02; 8:45 am]  
BILLING CODE 3710-08-M

## DEPARTMENT OF ENERGY

[Docket No. EA-260]

### Application To Export Electric Energy; EPCOR Merchant and Capital (US) Inc.

AGENCY: Office of Fossil Energy, DOE.

ACTION: Notice of application.

**SUMMARY**: EPCOR Merchant and Capital (US) Inc. (EPCOR) has applied for authority to transmit electric energy from the United States to Canada pursuant to section 202(e) of the Federal Power Act.

**DATES**: Comments, protests or requests to intervene must be submitted on or before April 4, 2002.

**ADDRESSES**: Comments, protests or requests to intervene should be addressed as follows: Office of Coal & Power Import/Export (FE-27), Office of Fossil Energy, U.S. Department of Energy, 1000 Independence Avenue, SW, Washington, DC 20585-0350 (FAX 202-287-5736).

**FOR FURTHER INFORMATION CONTACT**: Rosalind Carter (Program Office) 202-586-7983 or Michael Skinker (Program Attorney) 202-586-2793.

**SUPPLEMENTARY INFORMATION**: Exports of electricity from the United States to a foreign country are regulated and require authorization under section 202(e) of the Federal Power Act (FPA) (16 U.S.C. 824a(e)).

On February 7, 2002, the Office of Fossil Energy (FE) of the Department of Energy (DOE) received an application from EPCOR to transmit electric energy from the United States to Canada. EPCOR is a Delaware corporation with its principal place of business in Calgary, Alberta, Canada. EPCOR is a power marketer and will have title to any electricity exported to Canada.

EPCOR will purchase the power to be exported from electric utilities and federal power marketing agencies within the United States and arrange for the delivery of electric energy to Canada over the existing international transmission facilities owned by Basin Electric Power Cooperative, Bonneville Power Administration, Citizen Utilities, Eastern Maine Electric Cooperative, International Transmission Company, Joint Owners of the Highgate Project, Long Sault, Inc., Maine Electric Power

Company, Maine Public Service Company, Minnesota Power Inc., Minnkota Power Cooperative, New York Power Authority, Niagara Mohawk Power Corporation, Northern States Power, and Vermont Electric Transmission Company. The construction, operation, maintenance, and connection of each of the international transmission facilities to be utilized by EPCOR, as more fully described in the application, has previously been authorized by a Presidential permit issued pursuant to Executive Order 10485, as amended.

EPCOR has requested that the Department of Energy (DOE) expedite the processing of this application so that EPCOR may assist in alleviating unexpected power shortages in the Canadian Province of Alberta.

*Procedural Matters*: Any person desiring to become a party to this proceeding or to be heard by filing comments or protests to this application should file a petition to intervene, comment or protest at the address provided above in accordance with §§ 385.211 or 385.214 of the FERC's Rules of Practice and Procedures (18 CFR 385.211, 385.214). Fifteen copies of each petition and protest should be filed with DOE on or before the date listed above.

Comments on the EPCOR application to export electric energy to Canada should be clearly marked with Docket EA-260. Additional copies are to be filed directly with Rob Imbeau, EPCOR Merchant and Capital (US) Inc., c/o EPCOR Merchant and Capital L.P., 505 2nd Street, SW, 8th Floor, Calgary, Alberta T2P 1N8 Canada AND Timothy J. Moran, Victor A. Contract, Skadden, Arps, Slate, Meagher & Flom LLP, 1440 New York Avenue, NW, Washington, DC 20005-2111.

A final decision will be made on this application after the environmental impacts have been evaluated pursuant to the National Environmental Policy Act of 1969, and a determination is made by the DOE that the proposed action will not adversely impact on the reliability of the U.S. electric power supply system.

Copies of this application will be made available, upon request, for public inspection and copying at the address provided above or by accessing the Fossil Energy Home Page at <http://www.fe.doe.gov>. Upon reaching the Fossil Energy Home page, select "Electricity Regulation," and then "Pending Procedures" from the options menus.

## PUBLIC NOTICE

### Scoping Meeting to Prepare an Environmental Impact Statement for Military Training Activities at Makua Military Reservation

The 25th Infantry Division (Light) and U.S. Army Hawaii announces it will be holding two scoping meetings to solicit public participation in the preparation of an environmental impact statement (EIS) for the proposed resumption of military training activities at Makua Military Reservation (MMR), Oahu, Hawaii. The proposed military training is to provide for company level, modified live-fire exercises at MMR's Company Combined-Arms Assault Course (CCAAC). The CCAAC, which was constructed in 1988, is the sole training facility at MMR, and is the only facility of its type on the island of Oahu. The principal user will be the Army's 25th Infantry Division (Light) headquartered at Schofield Barracks. Other military components that have used MMR in the past such as the Marine Corps, Army Reserve, and Hawaii Army National Guard may also use the CCAAC for required company combined-arms live-fire exercises (CALFEXs).

Conducting the required number of company CALFEXs is critical to maintaining the readiness of all military units assigned or stationed in Hawaii. Company-level CALFEXs will include combined arms support provided by helicopter, artillery, mortar, and combat engineer support teams. The EIS will address, among other things, the potential direct, indirect, and cumulative environmental impacts associated with the proposed military training activities at MMR.

Public scoping meetings will be held at and on the dates and times listed below. During each meeting, attendees will receive information on the Army's proposed use of Makua Military Reservation. Attendees will also have the opportunity to provide input on what they would like the EIS to address. Public comments will be accepted for a period of 15 days following the meeting dates and can be submitted in writing to the individual named below.

Location: Nanakuli High & Intermediate School  
Cafeteria  
89-980 Nanakuli Avenue  
Waianae, Hawaii 96792

Date: Tuesday, April 9, 2002  
Time: 6:00 p.m. to 10:00 p.m.

Location: Waianae District Park  
Multi-Purpose Building  
85-601 Farrington Highway  
Waianae, Hawaii 96792

Date: Saturday, April 13, 2002  
Time: 10:00 a.m. to 3:00 p.m.

Send written comments to or request additional information from:

Ken Mashita  
U.S. Army Engineer District, Honolulu  
Programs and Project Management Division  
Environmental and Special Projects Branch  
Building 252  
CEPOH-PP-E  
Fort Shafter, HI 96858-5440  
Telephone: 808-438-8417  
Fax: 808-438-7801  
E-mail: Calvin.K.Mashita@poh01.usace.army.mil

## **PUBLIC NOTICE**

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89-980 Nanakuli Avenue  
Waianae, Hawaii 96792

Location: Waianae District Park  
Multi-Purpose Building  
85-601 Farrington Highway  
Waianae Hawaii 96792

Date: Tuesday, April 9, 2002  
Time: 6:00 p.m. to 10:00 p.m.

Date: Saturday, April 13, 2002  
Time: 10:00 a.m. to 3:00 p.m.

Send written comments to or request additional information from:

Ken Mashita  
U.S. Army Engineer District, Honolulu  
Programs and Project Management Division  
Environmental and Special Projects Branch  
Building 252  
CEPOH-PP-E  
Fort Shafter, HI 96858-5440  
Telephone: 808-438-8417 Fax: 808-438-7801  
E-mail: Calvin.K.Mashita@poh01.usace.army.mil

## PUBLIC NOTICE

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Date: Tuesday, April 9, 2002

Date: Saturday, April 13, 2002

Time: 6:00 p.m. to 10:00 p.m.

Time: 10:00 a.m. to 3:00 p.m.

Send written comments to or request additional information from:

Ken Mashita  
U.S. Army Engineer District, Honolulu  
Programs and Project Management Division  
Environmental and Special Projects Branch  
Building 252  
CEPOH-PP-E  
Fort Shafter, HI 96858-5440  
Telephone: 808-438-8417 Fax: 808-438-7801  
E-mail: Calvin.K.Mashita@poh01.usace.army.mil

# The Environmental Notice

A SEMI-MONTHLY BULLETIN OF THE OFFICE OF ENVIRONMENTAL QUALITY CONTROL

APRIL 8, 2002

## Highway Improvement on Kaua'i

The State Dept. of Transportation proposes to improve Kuhio Highway between Hanama'ulu and Kapa'a to alleviate traffic congestion, accommodate projected traffic growth to 2025, provide an alternate emergency and evacuation route, and provide additional capacity when traffic is not flowing normally.

Alternatives include widening portions of the highway, construction of a bypass road ("relief route"), Transportation

Systems Management (TSM), or a combination of these. Possible impacts may include displacement of residents and/or businesses, visual effects, impacts to archeological sites and artifacts, to cultural sites, wetlands and parklands.

The EIS preparation notice submitted supercedes the EISPN published on September 8, 1992. Comments will be accepted until June 15, 2002.

For more information, see page 10.



**BENJAMIN J. CAYETANO**  
GOVERNOR

OFFICE OF  
ENVIRONMENTAL  
QUALITY CONTROL  
GENEVIEVE SALMONSON  
DIRECTOR

The Environmental Notice  
reviews the environmental impacts of  
projects proposed in Hawaii

Other Resources  
available at OEQC . . .

- *Guidebook for Hawai'i's Environmental Review Process*
- *Environmental Impact Study Resource Library*
- *Environmental Council Annual Reports*
- *Rules and Policies*
- *"How to Plant a Native Hawaiian Garden"*

### OEQC

235 S. BERETANIA STREET  
LEIOPAPA A KAMEHAMEHA  
SUITE 702  
HONOLULU, HAWAII 96813

Telephone (808) 586-4185  
Facsimile (808) 586-4186

Moloka'i/Lana'i: 1-800-468-4644 ext. 64185  
Kaua'i: 274-3141 ext. 64185  
Maui: 984-2400 ext. 64185  
Hawaii: 974-4000 ext. 64185

### Makua EIS Public Scoping Meetings

The U.S. Army will be holding two scoping meetings on preparing an environmental impact statement for the resumption of military training activities at Makua Military Reservation (MMR) on Tuesday, April 9, 2002 from 6:00 P.M. to 10:00 P.M. at Nanakuli High School Cafeteria, and on Saturday, April 13, 2002, from 10:00 A.M. to 3:00 P.M. at the Wai'anae District Park Multi-Purpose Building. See page 11 for more.

### Force Transformation EIS Public Scoping Meetings

The U.S. Army Corps of Engineers will be holding NEPA scoping meetings beginning on April 16, 2002, to engage public participation in the environmental impact statement for converting the 2<sup>nd</sup> Brigade, 25<sup>th</sup> Infantry Division in Hawaii into an Interim Brigade Combat Team. The conversion may have various impacts on Army installations and training lands in Hawaii. See page 12 for more.

### FONSI for Land Acquisition at Pohakuloa

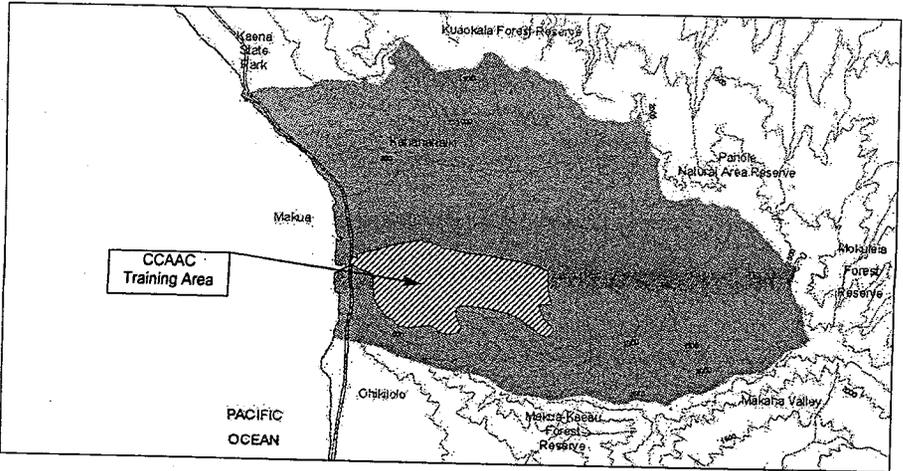
The Army has disclosed in a NEPA environmental assessment and finding of no significant impact (FONSI) that it wants to purchase 1,010 acres at the northern portion of the Pohakuloa Training Area at Pu'u Ke'eke'e and Pu'u Ka Pele (which is currently leased from Parker Ranch). There will be no change to existing land use or types of training there. See page 9 for more.

### EIS Training in April

When are environmental assessments (EA) required? What types of projects are exempt? How to declare a project exempt? How to prepare EAs? Whats new at OEQC? If you are interested in learning the answers to the above questions, OEQC's latest training classes can help you. The classes will be held on Friday, April 12 from 1-3 p.m. and on Monday, April 22 from 1-3 p.m. at OEQC. To register, please call 586-4185.

**MMR EIS PROCESS** The primary purpose of preparing an Environmental Impact Statement (EIS) is to make known the environmental consequences of the military training activities at Mākua Military Reservation (MMR). The EIS will identify all of the possible positive and negative impacts on the environment, and evaluate how the negative impacts can be avoided or reduced. Public involvement is a key component to the EIS process in that it identifies the scope of issues to be addressed and significant issues related to the proposed action. Public scoping meetings will be held to explain the proposed action to the community and allow the public to contribute ideas and identify issues concerning the proposed activities.

Your input will be addressed in the scope of the environmental impact study and will serve as a guide in the preparation of the Draft EIS. After the draft EIS has been completed it will be made available for public review (45 day minimum) and comment. All comments received on the Draft EIS will be addressed and incorporated into the Final EIS.



**PUBLIC SCOPING MEETING SCHEDULE**

**Tuesday, April 9, 2002**  
**6:00 p.m. to 10:00 p.m.**  
*Nānākuli High & Intermediate School*  
 89-980 Nānākuli Avenue  
 Wai'anae, Hawai'i 96792

**Saturday, April 13, 2002**  
**10:00 a.m. to 3:00 p.m.**  
*Wai'anae District Park*  
 Multi-Purpose Building  
 85-601 Farrington Highway  
 Wai'anae, Hawai'i 96792

**Copies of materials related to the EIS will be available for public review at local repositories:**

Hawai'i State Library  
 478 South King Street  
 Honolulu, Hawai'i 96813

Wai'anae Public Library  
 85-625 Farrington Highway  
 Wai'anae, Hawai'i 96792

Wahiawā Public Library  
 820 California Avenue  
 Wahiawā, Hawai'i 96786

Pearl City Public Library  
 1138 Waimano Home Road  
 Pearl City, Hawai'i 96782

**Information Points of Contact**

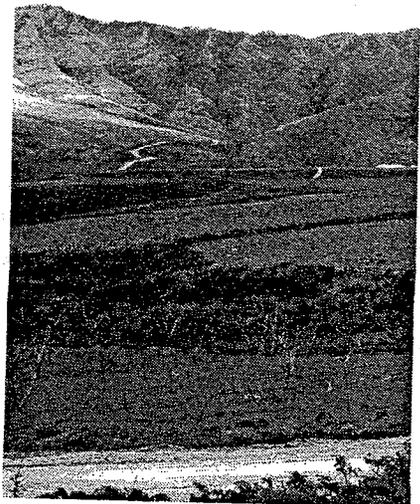
Ken Mashita  
 U.S. Army Engineer District, Honolulu  
 Programs & Project Management Division  
 Environmental & Special Projects Branch  
 Building 252  
 CEPOH-PP-E  
 Fort Shafter, Hawai'i 96858-5440  
 Phone: (808) 438-8417  
 Fax: (808) 438-7801  
 E-Mail: Calvin.K.Mashita@poh01.usace.army.mil

Amy K.T. Lutey  
 Community Relations Officer  
 25th Infantry Division (Light) and  
 U.S. Army Hawai'i  
 PAO, Building 580  
 Schofield Barracks, Hawai'i 96857  
 Phone: (808) 655-2919  
 Fax: (808) 655-9290  
 E-Mail: amy.lutey@schofield.army.mil

Colonel William E. Ryan, III  
 Director of Public Works  
 U.S. Army Garrison, Hawai'i (USAG-HI)  
 Schofield Barracks, Hawai'i 96857-5013  
 Phone: (808) 656-1289  
 Fax: (808) 656-1259  
 E-Mail: william.ryaniii@usace.army.mil

**MĀKUA MILITARY RESERVATION**  
 Training Activities

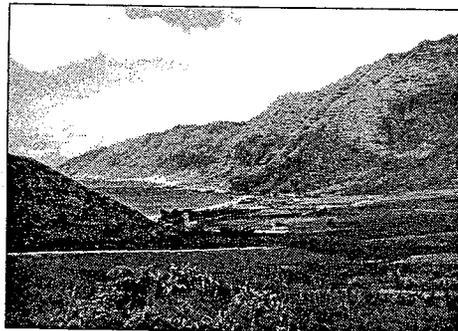
Environmental Impact Statement  
 Preparation



**SITE DESCRIPTION** MMR is located 38 miles northwest of Honolulu and is situated in the Mākua-Kahanahāiki valleys near Ka'ena Point. The installation encompasses 4,190.47 acres, of which the Army owns 170 acres in fee simple, holds 1.64 acres by license, leases 782.35 acres from the State of Hawai'i, and has use of 3,236.48 acres of ceded lands. The State of Hawai'i lease, which expires in 2029 and includes the 782.35 acres along Farrington Highway, requires the Army to allow employees of the State of Hawai'i Board of Land and Natural Resources to enter the leased premises when necessary. Additionally, it also grants the right to develop public use of Kāneana Cave, including a foot trail and parking area associated with the cave. The terms of the lease also allows public access to Mākua Beach, which lies between Farrington Highway and the shoreline.

**CULTURAL SITE HISTORY** Mākua and Kahanahāiki Valleys are considered *wahipana*, or sacred lands by the community. The traditional and cultural use of Mākua was extensive: Historic records, oral histories, and archaeological studies dating back to the 19th century document extensive cultural heritage of the area, including both religious and domestic use of Mākua by native peoples.

Mākua is associated with a number of legends, and traditional Hawaiian deities, and has religious and social value to local residents. Cultural resources include archaeological sites and historic resources, as well as community



values, religious practices, spiritual places, Hawaiian gathering rights and cultural uses of the natural environment.

**MMR FACILITIES AND TRAINING** The Company Combined-arms Assault Course (CCAAC) is the single training facility at MMR, and has been in place there since 1988. The principal Army user is the 25th Infantry Division (Light) (25th ID [L]), which is headquartered at Schofield Barracks, however the Marine Corps, Coast Guard, Air Force, The Army Reserve, and Hawai'i Army National Guard all use the site. Combined-arms Live Fire Exercises (CALFEXs) conducted on the CCAAC are a key element in the program of training for light infantry units and the Mākua CCAAC is the only facility of its type on O'ahu.

The total area used by the CCAAC, including parking, bivouac, ammunition storage, and staging, equals approximately 1,034 acres. All live fire is directed into the 457-acre grassy area within the southern fire-break road. In the highly utilized CCAAC, soldiers fire live ammunition at electronically operated "pop-up" targets and

overtake mock-enemy objectives as they maneuver from objective to objective. All high-explosive, fire-causing ammunition is aimed to land within the confines of the fire-break roads.



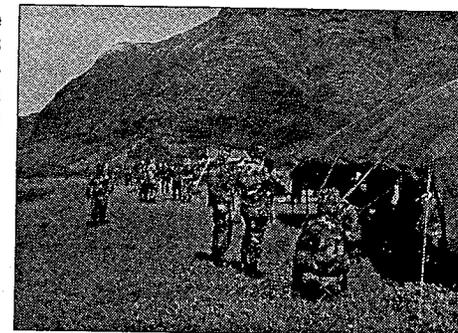
The Army's Standard Operating Procedures (SOP) for training outlines safety precautions and fire minimization and suppression procedures that will be followed by range personnel and soldiers. It also provides procedures to protect biological and archaeological

resources. Routine training in the main part of the installation occurs approximately 230 days per year. Other days are used for range maintenance and repairs, open houses, and the Army's ecosystem management program work. No military training activities, except for those that are approved by the U.S. Fish and Wildlife Service (USFWS) on a case-by-

case basis, occur outside the firebreak roads.

**RECENT DEVELOPMENTS** In October 1998, Earth Justice filed a lawsuit on behalf of Mālama Mākua alleging the failure of the Army to prepare an EIS for military training activities proposed at MMR violates the NEPA and its implementing regulations. By court order no training was permitted at MMR until the lawsuit was resolved. As such, training was not conducted at MMR in FY 1999 and 2000.

In light of the events of 11 September 2001, a Settlement Agreement and Stipulated Order between Mālama Mākua and the United States Department of Defense was filed on 04 October 2001 whereby 13 stipula-



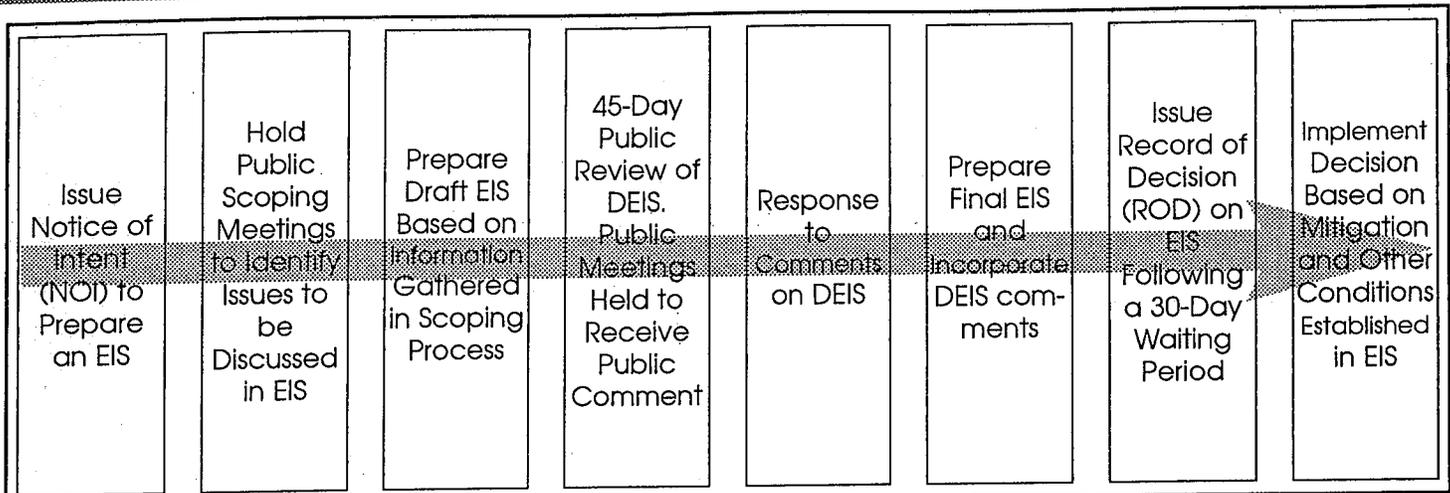
tions were outlined. Based upon the agreement, until the MMR EIS is completed and the Record of Decision (ROD) is published in the Federal Register in October 2004, the Army and other Department of Defense components will be permitted to carry out:

- Up to a total of sixteen (16) CALFEXs at MMR in the first twelve (12) months immediately following Court approval of the agreement.
- Up to a total of nine (9) CALFEXs at MMR in the second year
- Up to a total of twelve (12) CALFEXs at MMR in the third year

In accordance with the Settlement Agreement, the Army resumed live fire training on 24 October 2001. Since that date, a total of ten CALFEXs have been completed and three additional CALFEXs have been scheduled through 22 May 2002.

#### DESCRIPTION OF THE PROPOSED ACTION

The Army would continue using the CCAAC at MMR to conduct CALFEXs, but would reduce use from its full capacity. In particular, the CALFEXs would not include use of TOW missiles, incendiary munitions, or tracers, which historically caused the greatest number of fires. All current environmental programs would continue, including natural and cultural resource management, wildland fire management, public involvement, and other programs. This action would allow the Army to execute its required training mission.



### WHAT IS NEPA?

The National Environmental Policy Act (NEPA) is our basic national charter for protection of the environment. It establishes policy, sets goals, and provides means for carrying out the policy. The President, the federal agencies, and the courts share responsibility for enforcing the Act so as to achieve the substantive requirements of the goals.

The NEPA process is intended to help public officials make decisions that are based on understanding of environmental consequences, and take actions that protect, restore, and enhance the environment.

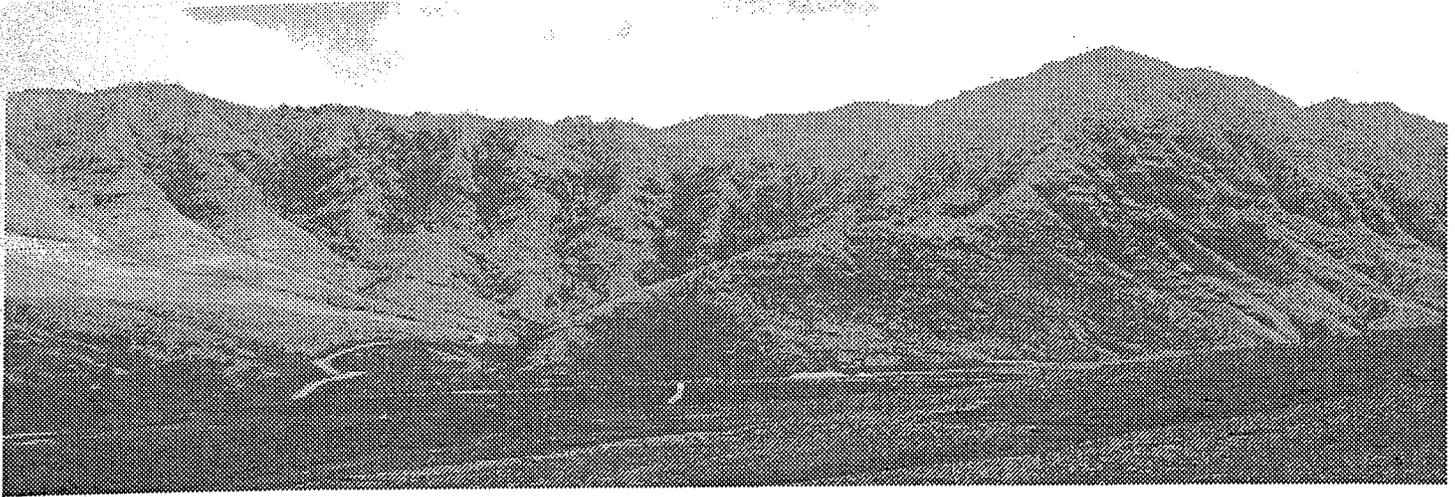
## NEPA & THE EIS PROCESS



### WHAT IS AN EIS?

The primary purpose of an environmental impact statement (EIS) is to serve as an action-forcing device to insure that the policies and goals defined in the Act are infused into the ongoing programs and actions of the Federal Government. It shall provide full and fair discussion of significant environmental impacts and shall inform decisionmakers and the public of the reasonable alternatives that would avoid or minimize adverse impacts or enhance the quality of the human environment.

An EIS is more than a disclosure document. It shall be used by Federal officials in conjunction with other relevant material to plan actions and make decisions.



The 25th Infantry Division (Light) (25th ID(L)) is stationed in and trains in Hawai'i to prepare itself for warfare in the unique environments of the Pacific Basin and Pacific Rim, including potential operational areas similar to Korea, Indonesia, and Southeast Asia.

To meet this objective, live fire and maneuver training is conducted at Mākua Military Reservation (MMR) on a regular basis. MMR is the only large area on O'ahu where units can maneuver and fire live munitions at the same time. The physical makeup of MMR is precisely what is needed for firing live munitions. The large cliffs and bowl shape of the valley safely act to contain any shrapnel, missiles, or bullets fired, as well as some of the noise. Furthermore, it is the only training area on O'ahu that will support limited attack helicopter gunnery training.

Other identified training location options, include using existing facilities on O'ahu, the Pōhakuloa Training Area (PTA) on the Big Island, or other installations in the continental United States. Unfortunately, these are not suitable or cost-efficient locations for this type of training. Other O'ahu installations lack the geographical features needed to safely execute training objectives, are too small in size, are situated in heavily urban-

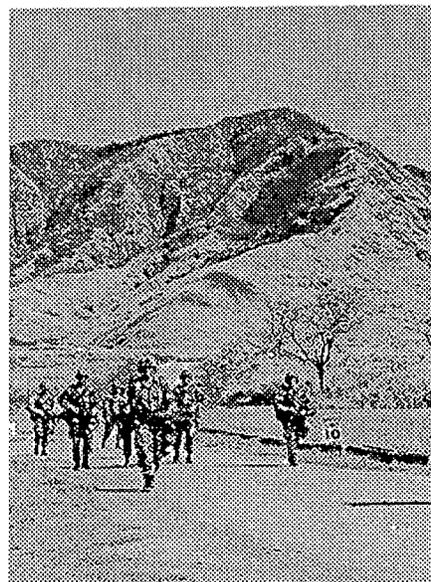
## THE NEED FOR MĀKUA MILITARY RESERVATION

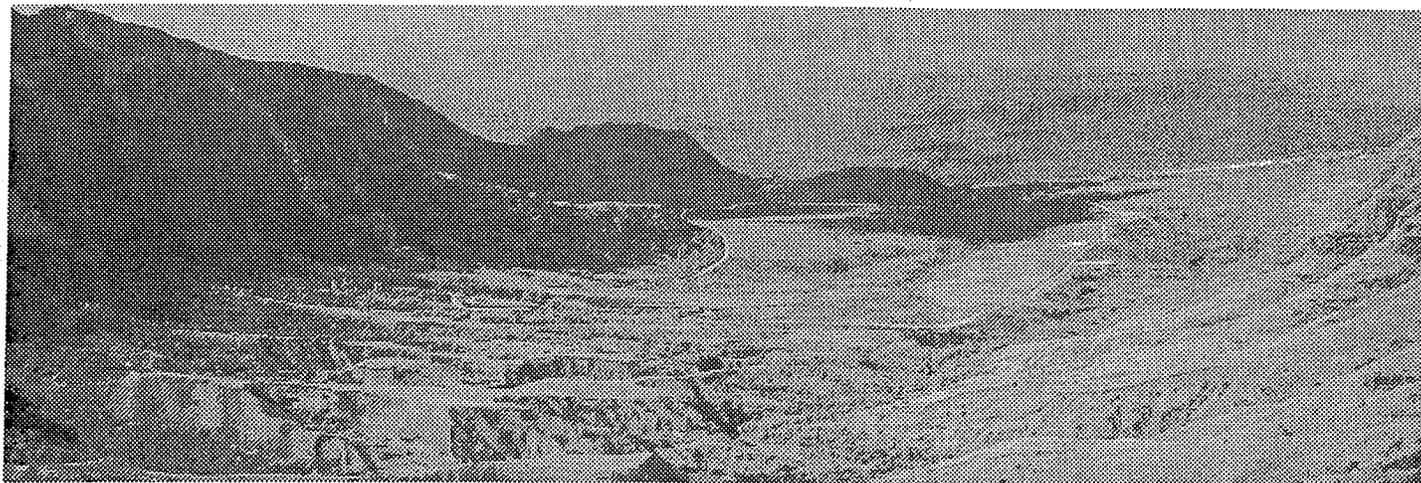
ized areas, or are fully occupied by buildings. With regard to PTA, the costs associated with transporting soldiers and equipment are prohibitive for long-term training and the unique terrain, predominately lava fields, limits the maneuverability of soldiers.

Similarly, utilizing training facilities in the continental United States would require large investments in transportation and deployment costs. Additionally, the topographic and climatic features at mainland installations do not match conditions found in the Pacific and would therefore not provide realistic training experiences for the 25th ID(L).

Overall, MMR is the military's best and most used local live fire training area because it:

- Supports limited use of ground, air, artillery, and missile munitions.
- Alleviates prohibitive travel costs for unit training.
- Contains an elaborate trench system (U-shaped trench with pop-up targets in bunkers for soldiers to shoot at) that has no equal in the State of Hawai'i.
- Replicates physical terrain features found throughout the Pacific rim.





## AGREEMENT

### REQUIREMENTS INCLUDE:

1. US Army to complete an EIS (within 3 years) in accordance with NEPA and its implementing regulations. EIS to address, among other things, the potential direct, indirect and cumulative environmental impacts associated with military training activities at MMR.
2. Prior to EIS completion, the US Army is permitted to carry out:
  - a. Up to a total of 16 Company Combined Arms Live-Fire Exercises (CALFEXs) at MMR in the first 12 months following approval of the Agreement;
  - b. Up to 9 CALFEXs at MMR in the second year;
  - c. Up to 12 CALFEXs at MMR in the third year.
3. Training shall cease in the event of any training-related fire outside

## SETTLEMENT mālama AGREEMENT mākua SUMMARY

### DATE:

October 4, 2001

### PLAINTIFF:

Mālama Mākua,  
A Hawai'i non-profit corporation

### DEFENDANTS:

Donald H. Rumsfeld,  
Secretary of Defense

and

Thomas E. White, Secretary of US  
Department of the Army

of the south firebreak road that surrounds the Company Combined-Arms Assault Course (CCAAC). Training may resume after consultation under the Endangered Species Act. Training shall also cease in the event of any training-related damage to any archaeological or cultural sites at MMR and may resume after reporting damage to the State Historic Preservation Officer and executing all mitigation measures.

4. Copies of the completed EIS and Record of Decision (ROD) shall be delivered to plaintiff's counsel, Earthjustice Legal Defense Fund.

5. Public meetings shall be held as part of the NEPA scoping process and to receive comments on the draft EIS. Meetings shall be scheduled at times convenient for the working people of Wai'anae Coast.

6. Good faith efforts shall be made to obtain the services of a court reporter capable of transcribing the Hawaiian language. One copy of meeting transcripts shall be provided to Earthjustice Legal Defense Fund. An additional copy shall be provided to the Wai'anae Public Library.

7. The EIS shall include:

a. Studies to identify potential contamination of soil, surface water, and ground water, and of potential impacts on air quality, associated with training activities at MMR. A 60-day public comment period on the scope and protocol of these studies shall be provided.

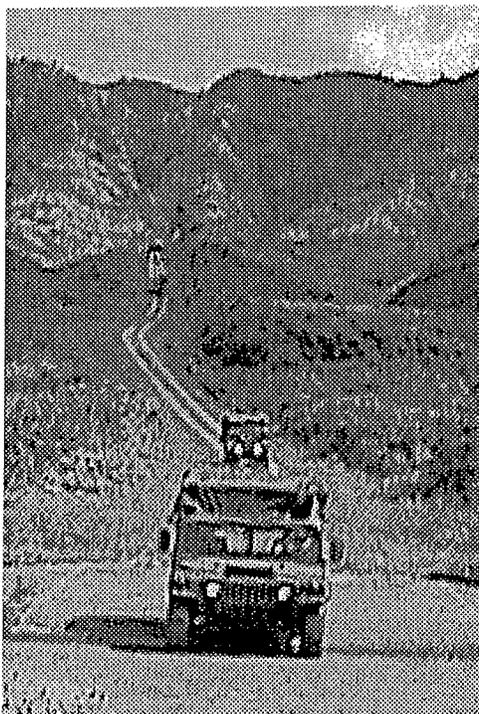
b. A Traditional Cultural Places (TCP) survey to assess cultural impacts.

c. Surface and subsurface archaeological surveys of all areas within the CCAAC training area, as well as surface archaeological surveys of all the Surface Danger Zone (SDZ) areas.

8. If the studies reveal the potential for off-site soil, air, ground water or surface water contamination, a long-term program will be implemented to monitor such contamination.

9. Seek approval for and make good faith efforts to obtain appropriate funds to clear unexploded ordnance (UXO) from the area within MMR extending 1,000 meters mauka from Farrington Highway. Other high priority areas shall also be identified for UXO clearance at MMR within one year of the date of the settlement. This will help to increase access to cultural sites. An annual report shall be prepared to describe progress in clearing UXO from MMR.

10. Mālama Mākua and other members of the Wai'anae Coast Community shall be provided with technical assistance, at a cost not to exceed \$50,000 to facilitate public participation in the NEPA process and help the community understand the technical issues of the process.



11. Transportation of explosives and ordnance to MMR shall be done by airlift whenever possible (based on availability and weather). When airlift is not possible, ground transportation by way of Farrington Highway will avoid the hours from 5:00 a.m. to 7:00 p.m.

12. At least one member of Mālama Mākua will be allowed access as an observer to each live-fire training exercise at MMR, post-training UXO cleanup, and post-training evaluation of damage to cultural sites.

13. Members of the Wai'anae Coast Community, including Mālama Mākua, shall be allowed daytime access (sunrise to sunset) to MMR to conduct cultural activities at least twice a month. Overnight access (from two hours before sunset on the first day until two hours after sunset on the second day) to MMR shall be allowed to conduct cultural activities on at least two additional occasions per year. All access is subject to certain safety requirements.



Place  
Stamp  
Here

**TO:** Ken Mashita  
U.S. Army Engineer District, Honolulu  
Programs & Project Management Division  
Environmental & Special Projects Branch  
Fort Shafter, Hawai'i 96858-5440

### **Public Notice**

The U.S. Army, Hawaii, will host a Public Information Meeting to share technical information on the draft protocols for studies of the impact of live-fire training activities on soil, water and air in the Makua Military Reservation. Data from these studies and others will be incorporated in the Environmental Impact Statement. At the informal meeting, the public will have an opportunity to ask clarifying technical questions on the draft protocols.

The Public Information Meeting will be held on Tuesday, July 16, 2002, from 7 p.m. to 9 p.m., Wai'anae Army Recreation Center, 85-010 Army Street, Wai'anae, Hawai'i 96792. Written comments will be accepted at the meeting. Other comments must be sent by August 6, 2002 by U.S. Mail, fax, or e-mail to:

Ken Mashita  
US Army Engineer District, Honolulu  
Programs & Project Management Division  
Environmental & Special Projects Branch  
Building 252, Attn: CEPOH-PP-E  
Fort Shafter, HI 96858-5440  
FAX: 808-438-7801  
E-mail: [Calvin.K.Mashita@poh01.usace.army.mil](mailto:Calvin.K.Mashita@poh01.usace.army.mil)

The draft study protocols are available on the Internet at [www.MakuaEIS.com](http://www.MakuaEIS.com) and at the following libraries: Hawai'i State Library, Wai'anae Public Library, Wahiawā Public Library, and Pearl City Public Library.

## Public Notice

The Army will conduct a public meeting on Tuesday, Sept. 24 from 7 to 9 p.m. in the Multipurpose Room in the Wai'anae District Park to gather community comments on identifying high priority areas for clearing unexploded ordnance from within the Mākua Military Reservation.

The meeting is being conducted in compliance with the settlement agreement between the Army and Mālama Mākua with the focus on increasing public access to cultural sites in the reservation. Information from the meeting may be incorporated into the Environmental Impact Statement. At the informal meeting, the public will have an opportunity to ask clarifying questions concerning the high priority areas and clearing unexploded ordnance from within the Mākua Military Reservation.

The Public Information Meeting will be held on Tuesday, September 24, 2002, from 7 to 9 p.m., Wai'anae District Park, Multi-purpose Room, 85-601 Farrington Highway, Wai'anae, Hawai'i 96792. Written comments will be accepted at the meeting. Other comments must be sent by Tuesday, October 1, 2002 by U.S. Mail, fax, or e-mail to:

Glen Takishita  
US Army Engineer District, Honolulu  
Programs & Project Management Division  
Building 230, Attn: CEPOH-PP  
Fort Shafter, HI 96858-5440  
FAX: 808-438-6989  
E-mail: [Glen.Takishita@poh01.usace.army.mil](mailto:Glen.Takishita@poh01.usace.army.mil)

The EA for A Prescribed Burn at Mākua Military Reservation will also be discussed at this meeting and this document is available on the Internet at [www.MakuaEIS.com](http://www.MakuaEIS.com) and at the following libraries: Hawai'i State Library, Wai'anae Public Library, Wahiawā Public Library, and Pearl City Public Library.



DEPARTMENT OF THE ARMY  
25TH INFANTRY DIVISION (LIGHT) AND U.S. ARMY, HAWAII  
FORT SHAFTER HAWAII 96858-5000



**ANNUAL REPORT on UNEXPLODED ORDNANCE CLEARANCE**  
**SUBMITTED FOR OCTOBER 2001-OCTOBER 2002**

1. This Annual Report is submitted in accordance with paragraph 8c of the Settlement Agreement between Malama Makua and the United States Department of the Army executed on October 4, 2001, which requires the Army to provide to the people of the Wai'anae Coast, an annual progress report on the Unexploded Ordnance (UXO) clearance from Makua Military Range (MMR).

- Paragraph 6c of the Settlement Agreement stipulates that the 25<sup>th</sup> Infantry Division (Light) (25<sup>th</sup> ID (L)) and United States Army Hawaii (USARHAW) will be required to make good faith efforts, subject to certain limitations, to conduct archaeological surveys of all the Surface Danger Zones (SDZ) areas within MMR, that are located outside the south firebreak road.
- In addition, Paragraph 8a Settlement Agreement states that the 25<sup>th</sup> ID (L) and USARHAW will conduct UXO clearance for the area 1000 meters mauka (toward the mountain) from Farrington Highway subject to certain limitations.

The following information summarizes the Army's progress to date to accomplish the above Settlement Agreement UXO requirements:

<u>Task</u>	<u>Date</u>
a. Completed MMR Prescribed Burn Plan	1 Jun 02
b. Informal consultation with US Fish and Wild Life Services (USFWS)	11 Jun 02
c. Ordered Supplies, Equipment for Prescribed Burn	15 Jun 02
d. State of Hawaii Department of Health Approval	8 Jul 02
e. Prepare Environmental Assessment (EA) for MMR Burn Plan (Corps of Engineer/ Honolulu Engineering District) (COE/HED)	11 Jul 02
f. Informal consultation with USFWS	22 Jul 02
g. Prepare UXO Clearance Contract (COE/HED)	7 Aug 02
h. Concurrence Letter from USFWS	9 Aug 02
i. Letter from Office of Hawaiian Affairs	13 Aug 02
j. Completed EA and Draft Finding of No Significant Impact (FNSI)	19 Aug 02
k. Letter from State of Hawaii Preservation Office (SHPO)	27 Aug 02
l. Posted Office of Environmental Quality Control (OEQC) Bulletin Notice	8 Sep 02
m. 30-day Public Comment Ends	8 Oct 02
n. Execute Prescribed Burn Plan	28 Oct – 1 Nov 02*
o. Conduct UXO Clearance	8 Nov 02*

\* Proposed date, subject to change pending favorable weather conditions.

2. The Settlement Agreement requirements for archaeological surveys and UXO clearance cannot be accomplished safely without the clearing of vegetation requiring the accomplishment of a successful prescribed burn. It is dangerous for individuals including archaeologists to enter an area where there is UXO or to perform UXO removal operations where there is vegetative cover. The prescribed burn would have the following benefits: allow the detection and identification of UXO, facilitate the survey for archaeological sites, plus reduce the fuel load thereby reducing the likelihood of catastrophic fire.

### **Prescribed Burn Plan**

The Army has prepared a Prescribed Burn Plan to safely clear vegetation and reduce fuel load. The Prescribed Burn Plan was developed in coordination with the agencies listed below.

### **Agencies Contacted for Burn Plan & EA**

US Army: G3/Directorate of Plans Training and Mobilization,  
Range Division  
Installation Fire and Safety Office  
Directorate of Public Works, Environmental Division  
706<sup>th</sup> Explosive Ordnance Detachment (EOD)  
Public Affairs Office

Other Agencies: US Fish & Wildlife Service (USF&WS)  
US Forest Service, Region 5  
Federal Fire Department  
City and County of Honolulu Fire Department  
State of Hawaii Department of Land & Natural Resources,  
Div. of Forestry & Wildlife & State Historic Preservation  
Office  
State of Hawaii, Department of Health  
State of Hawaii, Office of Hawaiian Affairs

### **Risks**

- The 25<sup>th</sup> ID (L) understands the inherent risks involved in the proposed action to conduct a prescribed burn at MMR. To mitigate those risks, the prescribed burn plan shall identify potential fire threat to threatened and endangered species, required ground and aerial firefighting resources, escaped wildfire risk analysis, and consider timeliness of the prescribed burn based on favorable forecasted weather conditions. The overall objective in any fire management activity is to provide for firefighter and public safety first.

### **National Environmental Policy Act Compliance**

The Army prepared an Environmental Assessment (EA) in accordance with the National Environmental Policy Act (NEPA) and issued a Draft FNSI for the proposed action of a Prescribed Burn. The announcement of the availability of these documents was published in the OEQC bulletin on September 8, 2002.

Based on the purpose and need as well as an analysis of potential environmental impacts in the EA and implementation of mitigation measures identified in consultation with various agencies, the Army currently plans to burn approximately 324-364 hectares (800-900 acres) within the north and south firebreak roads as well as parcels outside the firebreak road. The proposed action will clear approximately 60% of the area identified in the Settlement Agreement to include portions of the SDZ and 1000 meter buffer areas. The proposed action would also serve to reduce fuel load at Makua thereby reducing the risk of catastrophic fire. The prescribed burn would take approximately four days.

### **UXO Clearance Next Steps**

- Upon successful completion of the MMR Prescribed Burn Plan, UXO Technicians and UXO sweep personnel will conduct a surface sweep to locate, identify, and flag any OE (Ordnance and Explosive)/UXO and OE/UXO-related scrap found within the burn areas.
- The UXO technicians shall report all OE/UXO to the Range Division.
- Range Division will have the responsibility to notify and coordinate with 706<sup>th</sup> EOD to remove and properly dispose of reported OE/UXO.
- The successful completion of the MMR Prescribed Burn Plan may facilitate future Army efforts to implement the burning and UXO clearance of additional areas identified by the Settlement Agreement.

### **Funds Request**

- In accordance with Paragraph 8a of the Settlement Agreement, the 25<sup>th</sup> ID (L) is required to make good faith efforts to secure the necessary funding for UXO clearance.
- To comply with these provisions 25 ID (L) requested and received \$325,000 from the MACOM, US Army Pacific (USARPAC) for the burn and UXO clearance activities. 25<sup>th</sup> ID (L) and USARHAW funded an additional \$204,000. The total funding for this effort to date is \$529,000.

### **High Priority UXO Areas**

Pursuant to Paragraph 8b of the Settlement Agreement, the Army conducted a public meeting on September 24, 2002 to solicit community input into the identification of high priority areas for UXO clearance with a focus on cultural access. The public may submit comments on this issue until Oct 1, 2002.

### **Next Step**

The Army will continue working with the public to develop the list of high priority areas for UXO clearance and develop a proposed plan for future clearance of those areas.

### **Other UXO Clearance at MMR from October 2001- October 2002**

- Additionally, the following UXO have been located.
  - EOD confirmed the finding of a 100lb bomb next to the center road below Objective Deer. This bomb was blown in place on 3 October 01.
  - On 3 October 01, EOD disposed of three 81 mm rounds found between 21 September 2001 and 3 October 2001.
  - EOD has further confirmed the finding and disposition of the following:
    - WWII 81 mm mortars, 11 each -
    - 105mm High Explosive (HE), 2 each
    - 2.75mm Rocket warhead, 1 each
    - 40mm Target Practice (TPT), 4 each
    - 75mm (possibly HE) tank round, 2 each
    - 81mm HE round, 6 each confirmed being shot on 16 January 02 into Area G. These failed to detonate on impact.
    - 20mm TPT, 3 each
    - 37mm Anti-Tank, 1 each
    - 107mm HE, 1 each

### Public Notice

The U.S. Army, Hawaii, will host a community meeting on Tuesday, December 10 from 6 p.m. to 8:30 p.m. in the Multi-purpose Room in the Wai'anae District Park, 85-601 Farrington Highway, Wai'anae, Hawai'i 96792.

This meeting will provide an opportunity for the people of the Wai'anae Coast to participate in identifying and prioritizing areas for unexploded ordnance clearance with the focus on increasing access to cultural sites in the Mākua Military Reservation (MMR). The meeting is in compliance with a settlement agreement for MMR.

Written comments on this issue will be accepted at the meeting or may be sent by December 17, 2002, by U.S. Mail, fax, or e-mail to:

Earl Nagasawa  
US Army Engineer District, Honolulu  
Programs & Project Management Division  
Environmental & Special Projects Branch  
Building 252, Attn: CEPOH-PP-E  
Fort Shafter, HI 96858-5440  
FAX: 808-438-7801  
E-mail: [earl.nagasawa@poh01.usace.army.mil](mailto:earl.nagasawa@poh01.usace.army.mil)

Additional information about MMR and the preparation of the Environmental Impact Statement is available on the Internet at [www.MakuaEIS.com](http://www.MakuaEIS.com).



DEPARTMENT OF THE ARMY  
25TH INFANTRY DIVISION (LIGHT) AND U.S. ARMY, HAWAII  
FORT SHAFTER HAWAII 96858-5000



**Update on Actions for Makua Settlement Agreement and  
Environmental Impact Statement (EIS) Preparation as of December 10, 2002**

**Makua Military Reservation (MMR) Prescribed Burn Update**

- ◆ Executed Burn Plan 2 during the week of October 28, 2002 through November 1, 2002.
- ◆ Did not meet all burn objectives due to wet weather conditions. Rain prevented application of fire retardant for primary and secondary containment lines.
- ◆ Accomplished approximately 60% of proposed burn units.
- ◆ Burned only inside the firebreak road network (Units A & B). Did not burn outside the firebreak road (Units C1 & C2).
- ◆ Conducted limited UXO survey activities in Units A & B.
- ◆ Burn within the North Firebreak Road revealed 17 new archaeological sites.
- ◆ The Army plans to burn at some future date, when conditions are drier.

**Endangered Species Act Formal Consultation**

- ◆ The Army initiated formal consultation with US Fish & Wildlife Service on November 25, 2002 for the proposed action of burning areas required by the Settlement Agreement and outlined in Prescribed Burn Plan 1.

**EIS Air, Soil, Water Sampling Update**

- ◆ The Army amended its air, soil and water studies at MMR in response to community comments. Copies of the final revised sampling plans are available on the internet at [www.MakuaEIS.com](http://www.MakuaEIS.com) and at the public libraries.
- ◆ Air Sampling was performed during the prescribed burn on October 29, 2002.
- ◆ Additional air sampling will be conducted during the first two combined live fire exercises for Fiscal Year 03 (January 29, 2003 and February 5, 2003).
- ◆ Field work completed to date includes the drilling and installation of 7 monitoring wells, installation of rain gauges, collection of shallow soil samples, and installation of stream sampling equipment.

**Improved Conventional Munitions (ICMs)**

- ◆ Headquarters Department of the Army (HQDA) prohibits entry into range impact areas that are suspected or confirmed ICM areas. This policy is stated in HQDA message 151835Z, dated April 1996 and again in HQDA Letter 385-01-1, dated March 2, 2001.
- ◆ An HQDA waiver is required to enter suspected or confirmed ICM areas. Waivers are granted for limited purposes such as to determine the boundaries of an ICM area or to clear contaminated property prior to releasing it from Army control. A waiver may also be granted where range maintenance is necessary for vital training to proceed.
- ◆ The Army is currently working with the 25<sup>th</sup> Infantry Division (Light) Installation Safety Officer to develop a record of his observation of ICMs at MMR. The Army, in coordination with the Installation Safety Officer, will request a waiver to define the boundaries of the ICM area at MMR.
- ◆ The Army will post these policy documents on the internet at [www.MakuaEIS.com](http://www.MakuaEIS.com), at the public libraries and provide copies to counsel for Malama Makua.

## Makua Issues & Update

### Improved Conventional Munitions (ICMs)

- ◆ Beginning in 1998, Headquarters Department of the Army (HQDA) prohibited entry into range impact areas that were suspected ICM and confirmed ICM areas. This policy was reiterated in HQDA message 151835Z, dated April 1996 and again in HQDA Letter 385-01-1, dated 2 March 2001.
- ◆ Based on this policy, HQDA Waiver is required to enter suspected ICM and confirmed ICM areas. Waivers are granted for limited purposes such as to determine the boundaries of an ICM area.
- ◆ The Army is currently working with the 25<sup>th</sup> Infantry Division (Light) Installation Safety Officer to develop a record of his observation of ICMs at MMR and to define the boundaries of the ICM area. The Army will request a waiver to define the boundaries of the ICM area at Makua Military Reservation (MMR).
- ◆ We will make these documents available to the public on the internet at [www.MakuaEIS.com](http://www.MakuaEIS.com) and to the members of Malama Makua through their attorney at Earhjustice.

### Endangered Species Act Formal Consultation

- ◆ Initiated formal consultation with US Fish & Wildlife Service on 25 November 02 for the proposed action of burning all areas required by the Settlement Agreement and outlined in Prescribed Burn Plan 1.

### Makua Prescribed Burn Update

- ◆ Executed Burn Plan 2 during the week of 28 Oct 02 through 1 Nov 02.
- ◆ Did not meet all burn objectives due to wet weather conditions. Rain conditions prevented application of fire retardant for primary and secondary containment lines.
- ◆ Accomplished approximately 60% of proposed burn units.
- ◆ Burned only inside the firebreak road network (Units A & B). Did not burn outside the firebreak road (Units C1 & C2).
- ◆ Conducted limited UXO survey activities only in Units A & B.
- ◆ The Army plans to burn at some future date when conditions are drier.

### Air, Soil, Water Sampling Update

- ◆ The Army amended its air, soil and water studies in the MMR in response to community comments. Copies of the final revised sampling plans are available on the internet at [www.MakuaEIS.com](http://www.MakuaEIS.com) and at the public libraries.
- ◆ Air Sampling was performed during the prescribed burn on October 29, 2002.
- ◆ Additional air sampling will be conducted during the first two combined live fire exercises for FY03 (29 January 02 and 5 February 03).
- ◆ Fieldwork completed to date includes the drilling and installation of 7 monitoring wells, installation of rain gages, collection of shallow soil samples, and installation of stream sampling equipment.

**HANDOUT**

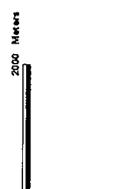
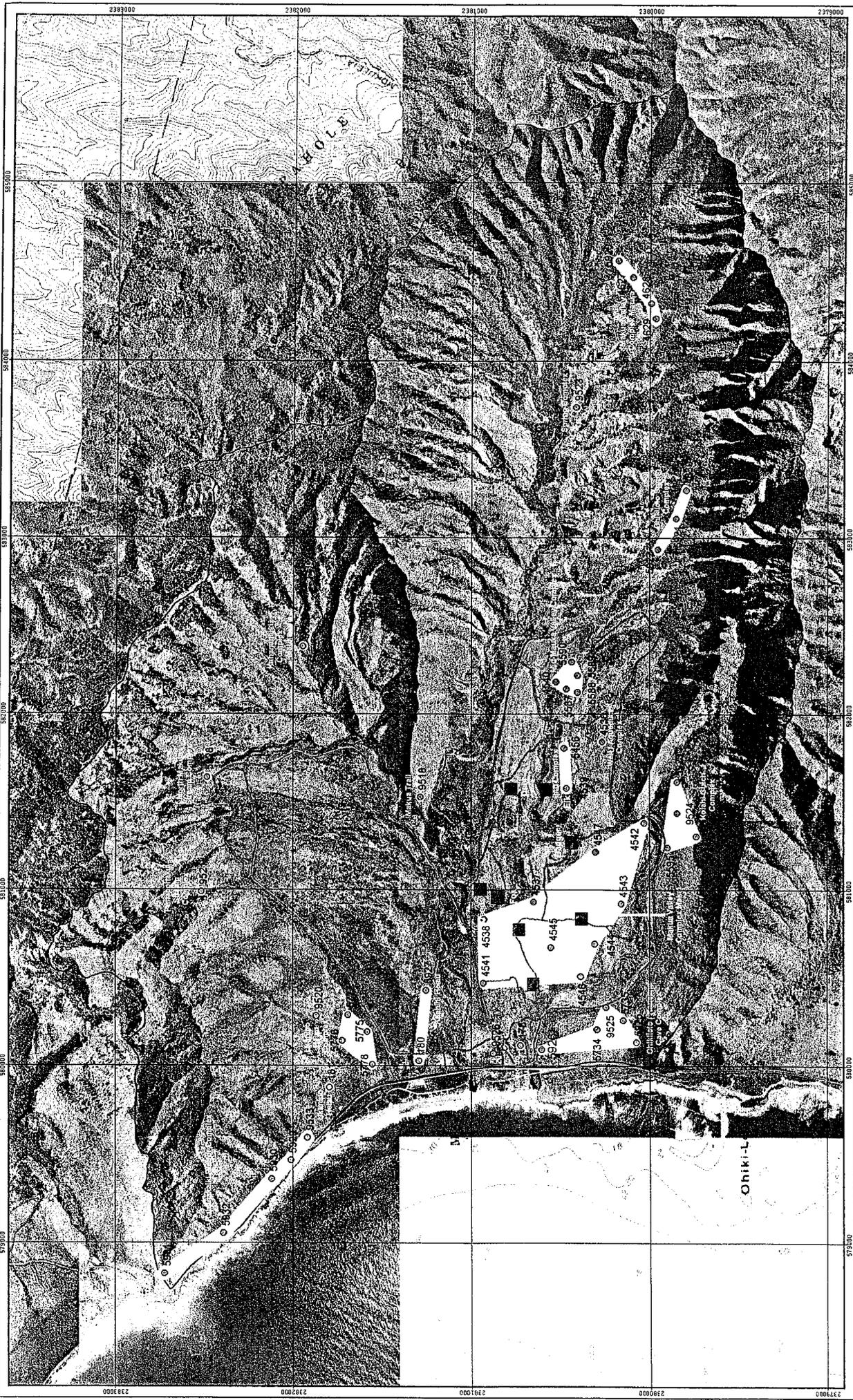
**FOR**

**PUBLIC MEETING**

**ON CULTURAL ACCESS**

**AT MAKUA**

**10 DECEMBER 2002**



DATUM: NAD83  
 (North American Datum 1983) Equivalent to WGS84  
 Prepared and Published by the Information Management (ITAM) Branch,  
 Schofield Barracks, Hawaii  
 Color Infrared (CIR) Imagery, February 1998

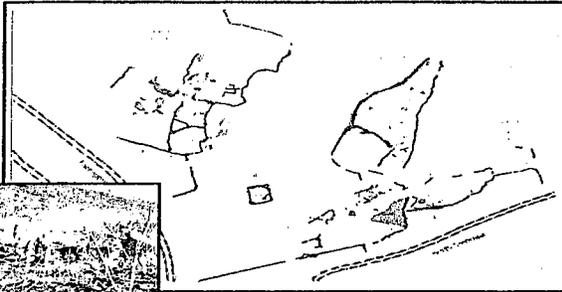


**Makua Military Reservation**  
 Grid Zone Designation: 4Q  
 100,000m Square ID: EJ  
 Grid: 1,000m UTMx4  
 G-M Angle: 11 deg (200m/s)

# Cultural Resources at Makua Military Reservation

Prehistoric (prior to 1778)  
remnants of habitation, agricultural, and religious complexes are evident

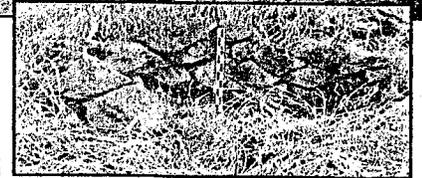
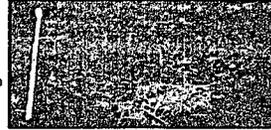
Ukanipo Heiau



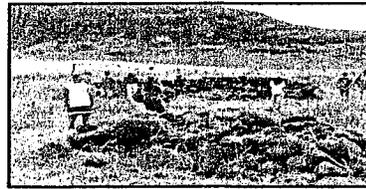
A Programmatic Agreement between the Army and the Ukanipo Heiau Advisory Council was established in October 2000 to manage site activities at the heiau



Site 5456  
imu  
AD 1400-1670



Site 5775 Feature 94, C-shape

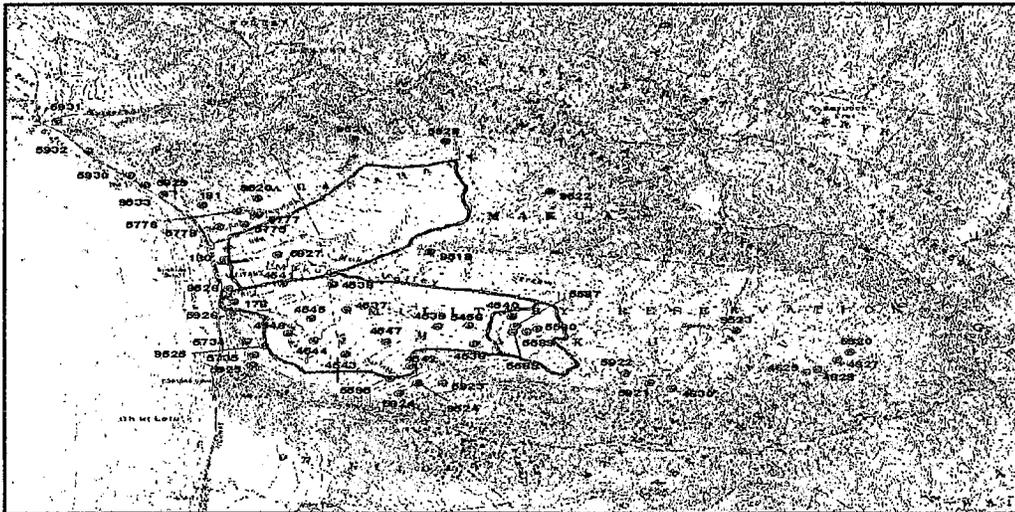
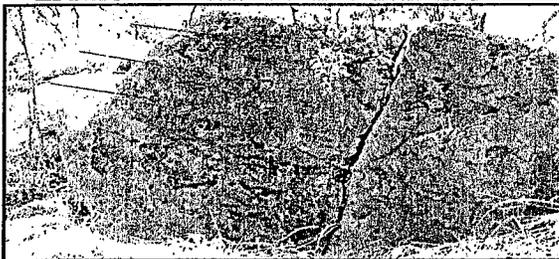


Site 4537



Site 4542

Petroglyphs



Site #	Description	Features	Reference	
1	50-80-03-178	Kaupunakopo Heiau	1	McAllister 1992
2	50-80-03-180	Kauhi Heiau	2	McAllister 1992
3	50-80-03-181	Kauhi Heiau	3	McAllister 1992
4	50-80-03-236	well	2	Ribe et al. 1992
5	50-80-03-437	pond	2	Ribe et al. 1992
6	50-80-03-438	military & C-shape	4	Ribe et al. 1992
7	50-80-03-440	military complex	2	Ribe et al. 1992
8	50-80-03-441	well	12	Ribe et al. 1992
9	50-80-03-442	well	12	Ribe et al. 1992
10	50-80-03-443	well	12	Ribe et al. 1992
11	50-80-03-444	well	12	Ribe et al. 1992
12	50-80-03-445	well	12	Ribe et al. 1992
13	50-80-03-446	well	12	Ribe et al. 1992
14	50-80-03-447	well	12	Ribe et al. 1992
15	50-80-03-448	well	12	Ribe et al. 1992
16	50-80-03-449	well	12	Ribe et al. 1992
17	50-80-03-450	well	12	Ribe et al. 1992
18	50-80-03-451	well	12	Ribe et al. 1992
19	50-80-03-452	well	12	Ribe et al. 1992
20	50-80-03-453	well	12	Ribe et al. 1992
21	50-80-03-454	well	12	Ribe et al. 1992
22	50-80-03-455	well	12	Ribe et al. 1992
23	50-80-03-456	well	12	Ribe et al. 1992
24	50-80-03-457	well	12	Ribe et al. 1992
25	50-80-03-458	well	12	Ribe et al. 1992
26	50-80-03-459	well	12	Ribe et al. 1992
27	50-80-03-460	well	12	Ribe et al. 1992
28	50-80-03-461	well	12	Ribe et al. 1992
29	50-80-03-462	well	12	Ribe et al. 1992
30	50-80-03-463	well	12	Ribe et al. 1992
31	50-80-03-464	well	12	Ribe et al. 1992
32	50-80-03-465	well	12	Ribe et al. 1992
33	50-80-03-466	well	12	Ribe et al. 1992
34	50-80-03-467	well	12	Ribe et al. 1992
35	50-80-03-468	well	12	Ribe et al. 1992
36	50-80-03-469	well	12	Ribe et al. 1992
37	50-80-03-470	well	12	Ribe et al. 1992
38	50-80-03-471	well	12	Ribe et al. 1992
39	50-80-03-472	well	12	Ribe et al. 1992
40	50-80-03-473	well	12	Ribe et al. 1992
41	50-80-03-474	well	12	Ribe et al. 1992
42	50-80-03-475	well	12	Ribe et al. 1992
43	50-80-03-476	well	12	Ribe et al. 1992
44	50-80-03-477	well	12	Ribe et al. 1992
45	50-80-03-478	well	12	Ribe et al. 1992
46	50-80-03-479	well	12	Ribe et al. 1992
47	50-80-03-480	well	12	Ribe et al. 1992
48	50-80-03-481	well	12	Ribe et al. 1992
49	50-80-03-482	well	12	Ribe et al. 1992
50	50-80-03-483	well	12	Ribe et al. 1992
51	50-80-03-484	well	12	Ribe et al. 1992
52	50-80-03-485	well	12	Ribe et al. 1992
53	50-80-03-486	well	12	Ribe et al. 1992
54	50-80-03-487	well	12	Ribe et al. 1992
55	50-80-03-488	well	12	Ribe et al. 1992
56	50-80-03-489	well	12	Ribe et al. 1992
57	50-80-03-490	well	12	Ribe et al. 1992
58	50-80-03-491	well	12	Ribe et al. 1992
59	50-80-03-492	well	12	Ribe et al. 1992
60	50-80-03-493	well	12	Ribe et al. 1992
61	50-80-03-494	well	12	Ribe et al. 1992
62	50-80-03-495	well	12	Ribe et al. 1992
63	50-80-03-496	well	12	Ribe et al. 1992
64	50-80-03-497	well	12	Ribe et al. 1992
65	50-80-03-498	well	12	Ribe et al. 1992
66	50-80-03-499	well	12	Ribe et al. 1992
67	50-80-03-500	well	12	Ribe et al. 1992
68	50-80-03-501	well	12	Ribe et al. 1992
69	50-80-03-502	well	12	Ribe et al. 1992
70	50-80-03-503	well	12	Ribe et al. 1992
71	50-80-03-504	well	12	Ribe et al. 1992
72	50-80-03-505	well	12	Ribe et al. 1992
73	50-80-03-506	well	12	Ribe et al. 1992
74	50-80-03-507	well	12	Ribe et al. 1992
75	50-80-03-508	well	12	Ribe et al. 1992
76	50-80-03-509	well	12	Ribe et al. 1992
77	50-80-03-510	well	12	Ribe et al. 1992
78	50-80-03-511	well	12	Ribe et al. 1992
79	50-80-03-512	well	12	Ribe et al. 1992
80	50-80-03-513	well	12	Ribe et al. 1992
81	50-80-03-514	well	12	Ribe et al. 1992
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83	50-80-03-516	well	12	Ribe et al. 1992
84	50-80-03-517	well	12	Ribe et al. 1992
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86	50-80-03-519	well	12	Ribe et al. 1992
87	50-80-03-520	well	12	Ribe et al. 1992
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91	50-80-03-524	well	12	Ribe et al. 1992
92	50-80-03-525	well	12	Ribe et al. 1992
93	50-80-03-526	well	12	Ribe et al. 1992
94	50-80-03-527	well	12	Ribe et al. 1992
95	50-80-03-528	well	12	Ribe et al. 1992
96	50-80-03-529	well	12	Ribe et al. 1992
97	50-80-03-530	well	12	Ribe et al. 1992
98	50-80-03-531	well	12	Ribe et al. 1992
99	50-80-03-532	well	12	Ribe et al. 1992
100	50-80-03-533	well	12	Ribe et al. 1992

## Post Contact & Mahele Period (1778-1864)

Kuleana walls, exclosures, and continuously occupied prehistoric sites are evident from this period



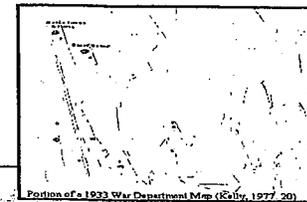
Site 4536, well



Site 4630 with spring,  
LCA 9706.2 to Kauhi

## Ranching Era (1864-1929)

walls, wells, and pens remain of the cattle ranching era

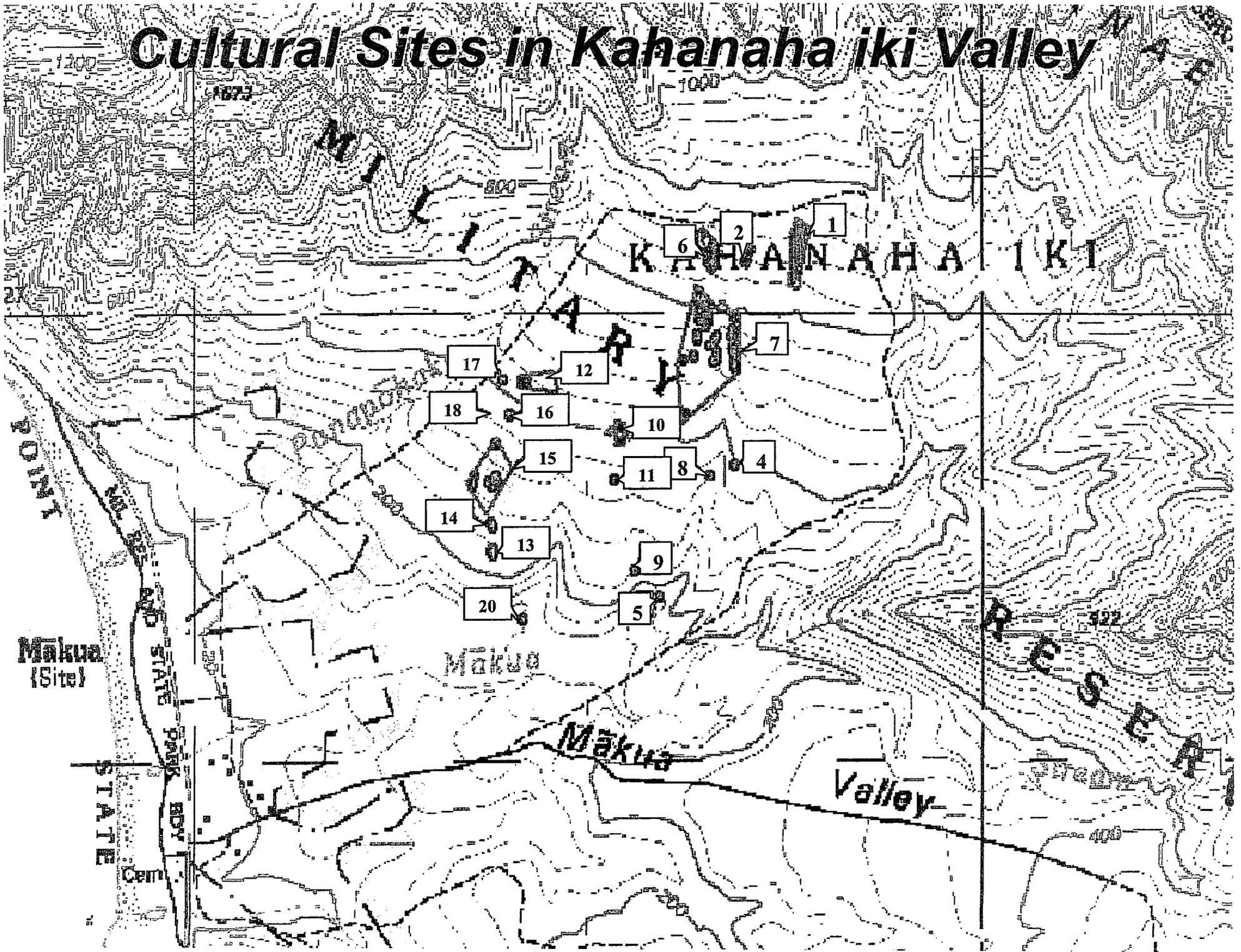


Portion of a 1933 War Department Map (Rally, 1977: 20)



State Site #	Description From Survey Report	Number of Features	Site Cluster Number	Priority For Access
178	Kumuakuopio Heiau	1	Kumuakuopio Heiau	Accessible
4537	mounds/wall	15	Makua Valley Complex Makai	Accessible
4541	walls	12	"	Accessible
4542	ag/hab complex	45	"	Accessible
4543	ag/hab complex	29	"	Accessible
4544	ag/hab complex	27	"	Accessible
4545	ag/hab complex	4	"	Accessible
4546	poss. shrine/encl.	3	"	Accessible
4547	mounds/wall	4	"	Accessible
4538	military & C-shape	4	"	Accessible
4539	retaining wall	1	Imu Complex	Accessible
5456	imu complex	11	"	Accessible
180	Kaahihi Heiau	1	Kaahihi Heiau	Accessible
5927	walls	13	"	Accessible
181	Ukanipo Heiau	44	Ukanipo Heiau	Accessible
4536	walls/well	3	Well/aquaduct Complex	Accessible
5923	ag/hab complex	37	Koiahi Gulch Complex	Occasional access w. EOD
5924	terraces	2	"	Occasional access w. EOD
5595	wall/enclosure	2	"	Occasional access w. EOD
5775	ag/hab complex	123	Ukanip[o Heiau Complex	
5776	ag/hab complex	116	"	
5777	mound	1	"	
5778	encl/mounds	10	"	
5929	military complex	3	Kahanahaiki Platform Complex	
5930	platforms	2	"	
5931	wall	1	"	
5932	path	1	"	
9533	platform/wall	2	"	
4540	mid-valley complex	29	Mid-Makua Valley Complex	
5587	mid-valley complex	4	"	
5588	mid-valley complex	1	"	
5589	mid-valley complex	2+	"	
5590	mid-valley complex	3+	"	
4630	spring/walls	5	Ohikilolo Spring Complex	
5921	ag complex	5	"	
5922	ag complex	6	"	
4627	ag/shrine	30+	Makua Valley Complex Mauka	
4628	mound	1	"	
4629	ag complex	1+	"	
5920	ag complex	50+	"	
5925	ag complex	20+	Ohikilolo/Kaneana Cave Complex	
5926	well/ag/hab	11	"	
5734	temp shelter	1	"	
5735	lithic scatter	1	"	
9525	wall	1	"	
5928	ag wall	1	North Makua Stream Complex	
9521	ag terraces	1+	Punapohaku Stream Complex	
9522	terraces/walls	1+	Kahanahaiki Complex Mauka	
9523	hab complex	1+	Spring Complex	
9518	trail	1	Makua Trail	
new	Occupation/ag/heiau complex	100+	Kahanahaiki Mid-Valley Complex	

# Cultural Sites in Kahanahiki Valley



GANDA Site No.	No. of Features	Feature No.	Formal Type	Tentative Function	Probable age	Preliminary Recommendations
1	12		complex	Agriculture	pre-Contact	phase II
2	unknown		complex	agriculture	pre-Contact	no further work
3	unknown		complex			
4	1		mound	agriculture/land clearing	post-Contact	no further work
5	2		complex	possible habitation	pre-Contact	phase II
6	6		complex	military/agriculture	modern (< 50 yrs) pre-Contact	phase II/no further work
7	42		complex	permanent habitation/ agriculture/poss. burial military	modern (< 50 yrs)/ pre-Contact	phase II/no further work
8	3		complex	ceremonial	pre-Contact	phase II
9	1		wall	dam	post-Contact	phase II
10	2		complex	possible burial/ceremonial	pre-Contact	phase II
11	2		complex	habitation	pre-Contact	phase II
12	2		complex	agriculture	pre-Contact	phase II
13	4		complex	agriculture	pre-Contact	phase II
14	3		terrace complex	agriculture	pre-Contact	phase II
15	14		complex	permanent habitation/ agriculture/military	pre-Contact/ modern (< 50 yrs)	phase II/no further work
16	1		enclosure	agriculture	pre-Contact	phase II
17	1		enclosure	agriculture	pre-Contact	phase II
18	1		enclosure	agriculture	pre-Contact	phase II
19	1		C-shape	habitation (poss)	pre-Contact?	phase II
20	3		complex	burial (poss)	post-Contact?	phase II

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**APPENDIX B-2**

**PUBLIC MEETING SUMMARIES**

**Preparation of Environmental Impact Statement  
Resumption of Military Training Activities at  
Mākuā Military Reservation, Hawai‘i**

Scoping Meeting Summary

09 April 2002

Nānākuli High & Intermediate School Cafeteria

Wai‘anae, Hawai‘i 96792

**Staffing**

Presiding Officer: COL William Puttmann

Panelists: Gary Akasaki, Alvin Char, Victor Garo Jr., Kapua Kawelo, LTC Ronald Light, Laurie Lucking, Ph.D., CPT Erin McMahon, Esq., CPT Roger Miranda, COL Vernon Miyagi, Jeanne Prussman, Esq., MAJ Joseph Walsh

Facilitators: Peter Adler, Ph.D., Karen Aka, Annelle Amaral, Ken Fukunaga, RaeDeen Karasuda, Miki Lee.

Translators: Noelani Arista, Puakea Nogelmeier

**Attendance**

Individuals Signed In: 76

Individuals Speaking: 24

**Schedule**

Meeting Convened: 1800

Meeting Adjourned: 2200

**Questions and Comments**

**Airspace**

- The lack of baseline data affects the integrity of the EIS.

**Air Quality**

- [There were] concerns that the emissions from weapons being fired and helicopters may be contaminating surrounding environment.
- [There were] concerns that the soldiers and surrounding communities may be exposed to contaminants that may be present in the smoke and ash from fires on the range.
- The smoke and dust kicked up by a training exercise leaves residues on all surrounding things and particulate matter in the air.
- How is the air quality through the training affecting plants, animals, and people?
- The lack of baseline data affects the integrity of the EIS.

### Biological Resources

- Training activities are a threat to all species that are located in the valley.
- There is concern of the sustainability of the ecosystem and questions as to how much of it has been degraded by the activities of the past and [the] survivability of the ecosystem under the proposed actions.
- Mākua was once one of the most plentiful fisheries along the Wai‘anae coast, as well as a rich source of plants and foods that could be used for sustenance, cultural, or medicinal needs.
- The EIS must address the impact of the proposed military training on both terrestrial and aquatic plants and animals that are native.
- Studies and surveys conducted should be specific to the needs and conditions found in this valley.
- Plants must be protected and the Army must gauge the irreparable harm that will be visited upon these native plants and mitigate the potential destructive effects of future live-fire training.
- The INRMP also needs to be wrapped up into this EIS.
- The lack of baseline data affects the integrity of the EIS.
- We need a baseline for the current conditions of the environment so that the information may be used as the basis to determine, based on worst case scenarios of the activities proposed, the future cumulative impacts of the proposed activities within the reservation.
- Noise and sound factors from post-activities for MMR should include not only an analysis of the effects on humans but also on animals within any close proximity to MMR.
- There are spinner dolphins which frequent [the] Mākua beach area, a common resting ground for this species. They are observed leaving the area when there are loud noises from activities within the area.
- At the extreme northern point of the island, observations include the research into nesting of native birds during the winter season. With transient light being identified as affecting behaviors of fledglings, there should be a determination of the effects on these nesting birds and recommendations, for mitigation and also implementation of your activity phrases.

### Cultural Resources

- Mākua is culturally significant.
- Concerns were expressed regarding protection, preservation, and restoration of cultural sites, and continued cultural and religious access to sacred places.
- Requests were made for surveys and documentary research, including cultural landscapes, historical cultural practices, surface historical properties, archaeological and subsurface testing.
- The EIS should include a cultural component called the Cultural Impact Statement. This should identify all resources and include [a] discussion on the impacts of the proposed actions, as well as mitigating measures and alternatives.
- Many of the cultural sites have been destroyed by the military.
- The Cultural Impact Assessment Questionnaire that is being passed around the community is flawed, insulting, and offensive.
- The inquiry for geographical portions must be greater than the area over which the proposed action takes place to ensure that cultural practices which may not occur within the boundaries of the specified area but which may be affected are included in the EIS/CIS.
- People are closely connected to the land. This is reflected by the language and wise sayings and oral history of the Hawaiian people.
- Through its history, Mākua was once a landing area for canoes, a fishery, an agricultural area, and part of the ranching industry.
- Appreciation was expressed for the rediscovery of ʻŌkanipō heiau, as well as other cultural sites.

- The Hawaiian culture does not fit into the frame of western thought.
- How shall the Army restore the cultural integrity at Mākua?
- There should be an advisory council from the Hawaiian community committed to communicating clearly with the Army in the restoration of land and appropriate cultural practices at Mākua.
- Preservation plans must be developed for both currently known cultural resources, as well as resources that are discovered in future surveys. Both the inventory survey and the preservation plan should be included in the EIS.
- The EIS must assess the potential for encountering human burials in consultation with the O‘ahu Island Burial Council. The EIS should also examine the extent to which NAGPRA is implicated.
- The lack of baseline data affects the integrity of the EIS.
- A complete inventory of the known cultural sites and mitigation measures needs to be included within this plan.

### **Cumulative Impacts**

- The EIS should include a study of all training ranges in the State of Hawai‘i and how their roles and transformation will affect training at Mākua.
- It is the responsibility of the Army to access and mitigate the cumulative impacts of the 60-plus years of military use of the Mākua Military Reservation. The Army’s responsibility does not end at the fence. Its past uses of Mākua Military Reservation extended to the beach and nearshore waters.
- Consider the cumulative impacts of military activities on native ecosystems.
- How is the proposed expansion of military training in Hawai‘i through the Interim Brigade Combat Team related to the Mākua EIS?

### **Geology, Soils, and Seismicity**

- There were requests for studies and mitigation measures on contamination of the soil from spent ammunition that is left in the ground to deteriorate and [for] the rate of contaminants leeching into the soil and water and the possibility of these contaminants to migrate beyond the gated area of MMR.
- Soil contamination based on the years of cumulative military action in that valley need to be understood.
- The lack of baseline data affects the integrity of the EIS.
- What steps are being taken to minimize present and future erosion of soil from the MMR?
- A soil analysis should include a complete soil composition analysis to determine a complete and accurate picture of the types of soils found on the property.
- Once soils are described, [they should be analyzed to] compare [them} with similar soils not affected by past activities performed on the property.
- There should be a sampling of a cross-section of the soils and any contaminants that it might contain.
- There should be a part of the EIS which recommends implementation of best management practices, or BMPs, to mitigate soil erosion on the property to contain and retain any contaminants found.
- As far as air quality is concerned, subject should be addressed not only from the effects of the activities on the soils but also [on] any person, plant, or animal that could be exposed to the residuals of the future activities.

### **Hazards and Hazardous Materials and Waste**

- Live fire training and toxic waste dumping has contributed to the amount of hazardous waste in Mākua.
- The military has a responsibility and a commitment to do clean up and remediation.
- The chemicals and wastes that are out at Mākua are a threat to the soldiers, the aquatic and terrestrial environment and the surrounding communities.
- There is concern that there is potential for the hazardous chemicals to leach out into the surrounding areas and resources through pathways such as the air, soil, and water.
- There is concern of radioactivity at Mākua.
- There is a need for full disclosure of all information known and found and a request for a comprehensive list of all contaminants and their byproducts and ordnance that were released through training and dumping activities in the valley.
- Like Kaho‘olawe, the lands of Mākua may never be completely usable and safe for human use.
- The proposed actions and alternatives will result in an increase of contaminants in the valley.
- There must be a clear baseline [of] what is already in there.
- The EIS should address the cumulative impacts of over sixty years of training and waste disposal.
- Sites of concern were the bomb crater that was filled with junk, the OB/OD area, suspect ICM areas, and areas with UXO.
- Test for all possible contaminants and toxic byproducts of training, including but not limited to, energetics, explosives, PCBs, dioxins, heavy metals, radioactive waste, TNT, RDX, Royal Demolition explosive, HMX, high methane explosive, and DNT, herbicides, pesticides, heavy metals, lead, copper, barium, aluminum, magnesium, cadmium, iron, antimony, nickel, arsenic, mercury, benzene, hexachlorobenzene, acetone, arsenic, gasoline, diesel and jet fuel, medical wastes, [and] plutonium.
- Access the level of acute and chronic health hazards, both on and off the Mākua Military Reservation, with these quantities and concentrations of contaminants present in plants, animals and human life.
- The lack of baseline data affects the integrity of the EIS.
- Speak to the people and Commanders that worked at Mākua in the past to get a better idea of what Mākua was used for.
- Record keeping at MMR is an important issue.
- Wildfires are a huge concern at MMR and a threat to its surroundings.

### Hydrology and Groundwater

- There are concerns that the Mākua, Kea‘au, and Mākaha aquifers have become contaminated due to activities at MMR.
- Are toxins leaching into the sea? And the beaches and streams? Why?
- There were requests for studies and surveys on identifying sources of water and streams in the area and the patterns of movement and migration for surface, subsurface and groundwater.
- [There were] Concerns that contaminants are washed into streams in heavy rains.
- The quality of the water has been degraded over time, where in the past, the waters were drinkable, and not they are not.
- Monitoring wells should be placed throughout the valley to monitor groundwater and its movement. The water also needs to be tested for contaminants such as lead and other pollutants that might be leaching in from the surface.
- In the past, Mākua was filled with many functioning wells that were used for irrigation and drinking water.
- The lack of baseline data affects the integrity of the EIS.

- Information quantifying the total amount of annual volume that erodes into the streams, muliwai (pool near stream mouth) and nearshore waters was requested.
- The baseline should include, but not be limited to, surface and groundwater analysis.
- Include a thorough analysis of the surface water, streams, wells, and ground water in and around the projected unaffected areas, including the movements of these waters, especially the potential of moving off of the US Army controlled properties.
- Recommend a comprehensive analysis should be done to determine where the water [is] located, how it is moving, including if it is going into near shore waters, and a complete chemical analysis of the water.
- Chemical analysis should include background components normally found in waters in Hawai'i and chemicals, chemical compounds, or byproduct chemicals and elements based on the activities that will be performed or have been performed in the valley's complex.

### Land Use and Recreation

- All issues with ceded lands need to be addressed.
- Mākua provides an area adequate for training.
- What is the state's role as a trust representative for the 782.35 acres of ceded land and what is its responsibility in this EIS process?
- The lack of baseline data affects the integrity of the EIS.
- There were questions about which agency has the authority to decide which groups, such as other branches of the military, could and could not use the lands, and how they would be controlled.
- Address the role of the State of Hawai'i and the ceded lands at Mākua. How will these lands be restored and maintained when there is federal recognition for a native Hawaiian government?

### Noise

- Noise pollution needs to be addressed.
- What is the radius of the area that would be affected?
- How does the noise affect the animals within the area, including birds and sea mammals?
- The lack of baseline data affects the integrity of the EIS.
- Noise and sound factors from post-activities for MMR should include not only an analysis of the effects on humans but also on animals within any close proximity to MMR.

### Public Health and Safety

- There were concerns that the activities at MMR may have a connection to cancer cases and other illnesses in the area.
- Concerns were expressed about the hazardous materials contaminating the areas and food sources that people rely on.
- People in the surrounding communities, along with the soldiers who are training, are exposed to dangerous conditions and conditions that cause chronic and acute illnesses.
- What are health impacts of the training activities on the soldiers as well as the surrounding communities?
- The EIS should determine whether or not Mākua Valley is safe for the use by future generations.
- Concerns were expressed about the safety of the surrounding communities in the event that various ordnance are fired beyond the boundaries of MMR.
- Responses stating that health hazards are minimized because of limited exposure due to limited access are unacceptable because future use of the valley will occur at greater frequencies.
- Homeland security to me means having safe and clean near shore waters to catch and gather food

from, a healthy environment to pass on to our future generations.

### **Public Services and Utilities**

None expressed.

### **Socioeconomics and Environmental Justice**

- There should be full disclosure of all information found.
- There is strong support for the range to be closed, the clean up of the valley, the environment restored, and that the land be returned both to the displaced families and also the continued stewardship of the community.
- What is the legality of the military being on the lands in Mākua?
- There [is] no thorough accounting of the costs associated with the military in Hawai'i.
- Costs are unevenly distributed throughout the society and are disproportionately borne by communities like Wai'anae, Pūhukuloa, Lualualei, and Mākua.
- Consider impacts on economic resources such as the plants, fish, and other resources from that valley.
- Military occupied 1/3 of the land in Wai'anae moku. How has this affected the economic health of the community?
- What is the cost of military training in Mākua?
- The Sustainable Defense Readiness and Environmental Protection Act will allow the military to be exempt from certain environmental laws.
- The agencies that are responsible for any part of the environment should be clearly identified, including the State of Hawai'i, the Navy, the Air Force, the Hawai'i National Guard, or whoever.

### **Traffic**

None expressed

### **Visual Resources**

None expressed.

**Preparation of Environmental Impact Statement  
Resumption of Military Training Activities at  
Mākuā Military Reservation, Hawai‘i**

Scoping Meeting Summary  
13 April 2002  
Wai‘anae District Park  
Wai‘anae, Hawai‘i 96792

**Staffing**

Presiding Officer: COL John Woods

Panelists: Gary Akasaki, Alvin Char, Kapua Kawelo, LTC Ronald Light, Laurie Lucking, Ph.D., CPT Erin McMahon, Esq., CPT Roger Miranda, COL Vernon Miyagi, LTC Dennis Owen, Jeanne Prussman, Esq., COL Michael Stine, MAJ Joseph Walsh

Facilitators: Peter Adler, Ph.D., Karen Aka, Annelie Amaral, Ken Fukunaga, RaeDeen Karasuda, Miki Lee.

Translators: Noelani Arista, Puakea Nogelmeier

**Attendance**

Individuals Signed In: 98  
Individuals Speaking: 43

**Schedule**

Meeting Convened: 1025  
Meeting Adjourned: 1500

**Questions and Comments**

**Airspace**

- How often will helicopters be used, and how long will they be in the skies?
- A request was made that the community be notified of the flight schedules and flight patterns beforehand.
- What are the risks to the surrounding communities?
- A request was made for all accident reports.
- Flight patterns take helicopters over heavily populated areas including some schools.
- Use of helicopters prevents traffic of military vehicles through communities.
- Concern was expressed that the flying helicopters could interfere with bird flight patterns.

**Air Quality**

- A request for a baseline study was made.

- The public is exposed to the downwind draft of the smoke, which is generated by training and maintenance activities at the range.
- The wind on the leeward coast change[s] directions throughout the day.
- The study should look at the effects of the air on soils, people, plants, and animals that are exposed.

### Biological Resources

- The proposed actions should not threaten endemic and endangered species.
- What will the impacts of the proposed action be on native plants?
- There should be assurances that the continued use of the valley will not result in the contamination of the plants.
- Concern was expressed about the poor conditions of the fishery at Mākua, and muliwai.
- The muliwai is a catchment for water emptying out of the valley and anything else that washes out of the valley. The muliwai were once filled with endemic species of fish and shrimp.
- A request [was made] for more baseline surveys and studies to be done throughout the whole ahupua‘a (from mountain to ocean) to determine the condition of native species populations.
- How are military personnel educated about the conditions at Mākua?
- Have other alternative sites to Mākua been examined?
- Concerns were expressed that helicopter training and transient light would have an effect on birds in the area.
- Alien species should be replanted with native species.
- An overall holistic approach should be taken when addressing problems with the environment; more vegetation on the ground means a return [of] water to the valley and the wells in the area.
- Request for descriptive maps in EIS.

### Cultural Resources

- Mākua is a culturally significant area for the Hawaiian community.
- There were requests for identification, evaluation, surface and subsurface surveys of archaeological and cultural sights and practices to be conducted.
- There is no evidence that Mākua was as significant in the past as it is made out to be.
- Other cultural concerns are human burial sites, sources of water.
- The Army has done a considerable amount of work to conserve and protect cultural sites at Mākua.
- Provide assurance that the further destruction of [the] site will not occur under the proposed and continuing actions.
- There should be the continued access to the valley for the purpose of practicing culture and religion.
- The Hawaiian community should be involved in cultural consultations.
- Consider reviving the ahupua‘a system.
- The cultural survey that was circulated throughout the community was offensive.
- The land at Mākua is part of a living heritage.
- There are different accounts of what Mākua was used for by the Hawaiians in the past.
- There has been added emphasis on cultural education as part of military training.
- Appropriate mitigations must be put in place.

### General Comments

- There were requests for more detailed maps.

- There is a need for more baseline data.
- Restrictive reasoning would not be in the best interest of the State of Hawai‘i.
- The community must be consulted with throughout the process.
- NEPA guidance should be followed for the process of this EIS.

### **Geology, Soils, and Seismicity**

- There were requests that soil samples be taken and reports given to the community.
- Concerns [were] expressed that the contaminants in the soils will end up in the waters and the air.
- Activities on the range can lead to fugitive dust, erosion and landslides.
- Lead, arsenic, mercury, unburned fuel are all concerns.
- The toxic materials that remain in the soil need to be removed.
- Cleanup should be done to the extent that the soils be usable for planting crops.
- What steps are being taken to minimize present and future erosion of soil from MMR?
- There should be full disclosure of all chemicals used at the range, and of the chemicals that are found in the soils.

### **Hazards and Hazardous Materials and Wastes**

- We are concerned about the pollution and contamination.
- Specific sites of concern are the OB/OD area, the bomb pit.
- Metal globules have been found on the beach, of which the origin and composition are unknown.
- When will Mākua be cleaned up of all contaminants and UXO?
- A comprehensive list of all ordnance fired in the valley was requested.
- A comprehensive list of all chemicals that are present in the valley was requested.
- Address the cleanup and closure of the toxic dump sites.
- Concern [was] expressed about the migration of pollutants off-site, as well as ordnance and UXO going out of the boundaries of the range.
- What other chemicals are used for range maintenance activities?

### **Hydrology and Groundwater**

- Water is an important cultural resource.
- What are the threats of having contaminants that are found in the soil being found in the water?
- EIS should identify all sources of water, aquifers and streams in the project area.
- Identify aquatic resources in these streams.
- The muliwai act as catchments that catch anything that is washed down from the valley.
- Water sampling should take place over time and from wells that are placed throughout the valley and beyond the boundaries of the range.

### **Land Use and Recreation**

- What other alternatives are there for training besides Mākua?
- By what authority does the Army control Mākua?
- Requests were made for copies of documentation for leased properties, Kuleana titles, and fee simple ownership.
- When will the Army transfer back the lands to the people of Hawai‘i?

### **Military Training**

- Consider other sites for analysis as an alternative to Mākua.
- Mākua provides soldiers the opportunities to bring their training up to standard.

- Without your (community) support, training would be nothing to us.

### Noise

- How will noise disturbance to the community be mitigated?
- The studies of noise disturbance should not only consider human receptors but marine mammals and other animals as well.

### Public Health and Safety

- What are the health hazards of the military training in Mākua Valley for the last 60 years?
- Human risks for both the community and the soldiers should be assessed.
- What are the effects of contaminants found on human life?
- There is an unusually high rate of cancer on this side of the island. Does that have anything to do with the activities of the military?
- I do not get rest when there is night training. I am woken from my sleep.
- Look at the combined effects of all the other factors that contribute to ill health, socioeconomic problems, and so forth.
- What are the Army's responsibilities to people experiencing respiratory ailments?

### Public Services and Utilities

- Does Mākua have a designated medical facility?

### Socioeconomics and Environmental Justice

- The military's presence has a beneficial impact on the State of Hawai'i.
- Mākua Valley was wrongfully taken by the military and should be returned to the families who the land was taken from.
- Closure of MMR could result in the loss of federal monies.
- Give all the comments adequate evaluation and consideration.
- If a bill is passed, that will exempt the military from all environmental laws, will the EIS for Mākua still be done?
- If the country goes to war, will the EIS still be completed?
- The Army has made no serious attempts at any real cleanup.
- The EIS must evaluate over 60 years of military activities.
- Those who used Mākua should be held accountable.

### Traffic

- The roads to Mākua cannot support the traffic of Mākua.
- There were concerns of how soldiers, ammunition, and equipment will be transported through the communities.

### Visual Resources

- The Army has not responded to my engagement with them as a community member about cleanup so we can have a land that not only looks good, but also is able to support the growth of crops.

**Public Information Meeting Summary  
Sampling and Analysis Plan  
16 July 2002  
Wai'anae Army Recreation Center  
85-010 Army Street  
Wai'anae, Hawai'i 96792**

**STAFFING**

Presiding Officer: Major Jeff Butler

Panelists: Gary Floyd, Steve Turnbull

Facilitators: Annelle Amaral

**ATTENDANCE**

Individuals Speaking: 10

**SCHEDULE**

Meeting Convened: 1904  
Meeting Adjourned: 2108

**Questions and Comments****Air**

- How many samples per location do you collect?
  - Response: There will be an array of samples collected at any given location.
- Where will the sampling stations be placed?
  - Response: There are five proposed locations for the sample stations, which are based on interviews, observations, and literature searches. Samples will be taken one hour prior to the CALFEX exercise, and one hour after the exercise, with a five to six hour duration of samples being taken while the exercises are going on.
- What kind of tests will be done and what will the samples be tested for?
  - Response: The samples will be tested for volatile organic compounds such as benzene, toluene, and xylenes; semivolatile organic compounds such as polycyclic aromatic hydrocarbons. Energetic compounds, explosives, RDX, and HMX.
- Consider the wind patterns in the valley.
- Consider particulate matter that will fall out of the air and onto surroundings.
- Will data results be averaged?
  - Response: The laboratory will be pulling a sample over a known time frame; we'll be pulling a known volume, and based on that, we can interpret those readings to be meaningful data.
- Stagger the air sampling throughout the day, rather than running all sampling apparatus at the same time.

- Response: We will consider this. We are currently looking at worst-case scenario analysis, where the CALFEX is happening full force. And we're collecting representative samples at that time.
- Will testing be limited to a predisposed list?
  - Response: We are not limiting the speed of analysis based on some predisposed list.
- Besides the PM<sub>10</sub> test, will you also be doing a PM<sub>2.5</sub> test as well?
  - Response: We are considering it.
- Will the monitoring stations be fixed or will they move with the wind? How will you compensate for different wind patterns?
  - Response: Monitoring stations will be fixed. We are considering adding more monitoring stations, as Andrea Farrow had suggested.
- Will a mobile testing unit be available?
  - Response: No, we will not have a mobile unit. We will deal with the consideration.
- Do modeling to account for all the directions of the wind.
  - Response: We will look into the data that we generate and the meteorological data that is generated and take all into consideration.
- Has there been any sampling of the wind currents over the past year or two? from the stations that are already in locations?
  - Response: Yes, and we can look at those data that we do have.
- Look at the surface wave currents carried by the wind and the deeper wave currents and whether or not the particulate matter will float or sink to the various levels of the ocean column.
  - Response: Thank you.

## Water

- How much water is discharged on a daily basis mauka and makai of Mākua.
  - Response: I do not have that information. In the central part of O'ahu, 170 million gallons of water is discharged on a daily basis. This number is from a study written in 1984 by Giambelluca.
- Look at the effects that reduced vegetation has on rainfall.
  - Response: This can easily be added to the reports.
- Will these studies show how the water in Mākua Valley affects the surrounding aquifers of the surrounding areas?
  - Response: All data seen and collected so far show that the wells over in Wai'anae are further south. The whole valley flows out makai. At this point, we are not planning to sample the Board of Water Supply wells in Wai'anae.
- Initiate sampling of Board of Water Supply wells for compounds related to military operations.
  - Response: The Board of Water Supply, as part of the Safe Drinking Water Act, collects that data, and we can look at that. We will consider.
- Samples should be taken of the ocean water.
  - Response: If we were to find contamination, pollutants of interest, in this sample that then leads us to believe that something may have gotten past this point, on out, then we would consider expanding that for an additional study.
  - Response: We will first look at the streams and the groundwater.
  - Response: Under the Settlement Agreement, if we find any evidence that something is a potential contamination pathway, then we're required under the settlement to do further studies. If there's evidence that it is going into the ocean, we probably have to study it under the Settlement Agreement.

- What if a gradient of pollution was found in the samples?
  - Response: We would then have to take a step back and consider why there might be low concentrations in some places and high concentrations in other places. Is there some influence from the highway, for instance? One tool that we can use is modeling. Sampling will be very focused so that there will be a better understanding of the valley. If more studies are needed, or further testing, then we go from there.
- Samples should be taken in the muliwai. After the heavy rains that have occurred in 1996, most of the sediments that you will be looking for will have washed down into the muliwai.
  - Response: The EPA took samples of the muliwai in 1999. We will reference those studies.
- Consider taking samples from organisms that are found in the waters.

#### **Soils**

- What is your definition of a shallow sample?
  - Response: Shallow soil samples are considered six inches or less, so very shallow.

**Public Information Meeting Summary  
Sampling and Analysis Plan  
18 July 2002  
Wai‘anae Army Recreation Center  
Wai‘anae, Hawai‘i 96792**

**STAFFING**

Presiding Officer: Major Jeff Butler  
Panelists: Gary Floyd, Steve Turnbull, Steve Spengler  
Facilitators: Miki Lee

**ATTENDANCE**

Individuals Speaking: 8

**SCHEDULE**

Meeting Convened: 1904  
Meeting Adjourned: 2136

**Questions and Comments**

**Air**

- Just one sample at the beach? This is the main sensitive area for those who use the beach.
  - Response: We will consider including additional air samples along the beach. We will also consider testing for dioxins and furans.
- When you extend sample sites, how will you choose where to put the station?
  - Response: I will defer to my colleagues.
- Dioxins, furans, and PCPs should be tested for as cumulative effects.
- Are there sensors inside?
  - Response: Some of the equipment is sophisticated while others are not. It depends on what it is testing for. In general, they are small vacuum pumps that pull air through a filter of some type of medium that would cause particulates to stick onto that filter, and then it is sent to a lab for analysis.
- Would the vacuums be taking samples for 6 hours straight?
  - Response: Yes.
- What are you sending to the lab?
  - Response: Whatever the sample media would be. In some cases, it would be a filter or a SUMMA canister.
- What will the air samples be measured against? Has this ever been done at other Ranges in the US?
  - Response: Yes, at Fort Ord [California], so there have been standards established for this. The laboratories that we are using are well known and established for doing this type of work. They will be using screening criteria, or their detection limits are extremely low,

and they are very discerning in their analyses. These numbers speak to how sensitive those instruments are testing.

- Is the health standard somewhere inside?
  - Response: Right in the middle. We want to make sure that we're testing for things on both ends of that health standard.
- Do you analyze all this data in Hawai'i?
  - Response: We ship all these things off to a laboratory.
- Sulfur compounds lose their integrity after 48 hours.
  - Response: We are considering doing some real-time monitoring out there. It would be qualitative and not as accurate as a laboratory, but it would give us reassurance if we missed the 48-hour holding time.
- Can't a laboratory in Hawai'i do the testing?
  - Response: That is a good point. The laboratories that were selected are labs that can do the full suite of tests. So that when we send everything off, the same lab does it. We are trying to eliminate variability.
- Is this lab that was selected the same lab that has done the prior laboratory samples?
  - Response: Yes, these labs are approved by the Army Corps of Engineers.
- How does this sample protocol and analysis of air quality really get to cumulative impacts?
  - Response: When we are testing in air, we have to look at the real-time episode. The cumulative impact from air fallout is going to be down and on the soil. What has accumulated in the soil could possibly be kicked back up into the air and captured in the dusts that are generated. When Steve Turnbull speaks on the soil and water sampling, that is when we will be looking at the cumulative impacts.
- I don't accept that answer.
- Contact former Range workers.

### Miscellaneous

- Who is responsible for the scope?
  - Response: The Army gives the contractors a general purpose and scope, and one of the deliverables under the contract is the work plan that we're reviewing. It is an interrelated process, back and forth. We also bring it to the public and get your comments before we finalize.
- You can't get good information without baseline data.
- There will be no [analysis] of the results in the EIS.
  - Response: Everything we write up will be in the EIS.
- Combined company assault training has occurred in the past once or twice already at the platoon assault training area in Schofield. Mākua is not the only place where this can occur.
- Please provide a copy of the document going all the way back to a supposed US Senate treaty of land exemption of Hawai'i that gives the Army the jurisdiction over this property in Hawai'i.
  - Response: These are the wrong people to ask; they are only involved with writing the EIS.
- There is a request for copies of reports used in the plan.
- What is the farthest back that the Army records go?
  - Response: I do not know the answer to that question. We will have to see what we can find out.
  - Response: There is an appendix in the SEA that describes what was disposed of at Mākua. I think it goes back to 1985 or 1986.
- What about medical wastes?

- Response: Of our limited records, there was no infectious waste disposed of in the valley. There were wastes of an explosive nature, like picric acid, and some gases. Those records are in the SEA.
- Some people cannot park in here and were hassled by the guards. Can we hold the meeting in a church next time?
  - Response: We can.
- Can we get a copy of the ESEA?

## Soil

- The Halliburton studies should not be used. To take samples on a terrible foundational study is a big mistake.
  - Response: For a site like this we take samples from areas that will most likely have the most contamination.
- I have no recommendation for taking samples.
- Halliburton does not give the longitude and latitude of each site, so you cannot say with precision that that's the most trenched area in the OB/OD site. The OB/OD site occurred anywhere in the impact area.
  - Response: We will go back and take another look at the Halliburton numbers.
- What do you hope to gain from putting two boreholes at 20-foot and at five-foot intervals?
  - Response: The samples are at five-foot intervals. Based on talking to the old-timers that worked out there, most of the trenching was less than 20 feet. We're hoping to take those samples, send them to the lab, and see what kind of compounds are in the soil. And we're doing a complete suite, and there's a later slide that lists what that is of chemicals.
- Recommendation is if we're interested in characterizing and finding out what happened at the OB/OD site, two samples aren't going to do it. What is that going to tell you?
  - Response: The point of doing this was to get an idea of what is out there.
- If we're going to put bore holes in and the whole valley was used as an OB/OD site, that's cumulative impacts, and set some transects up that make sense for the valley.
  - Response: That is a good comment.
- What do you mean by geophysical evidence?
  - Response: Basically, the geophysical survey, soils that are more disturbed or have been more dug up over the year by back hoeing tend to have different values than soils that are undisturbed. So when the geophysics—these somewhat lower values are indicative of where there's been more. When we picked those boreholes, the geophysics that Halliburton did give us an idea of where there's been more trenching done, and that's where we put those two boreholes.
- At 20 feet, do you feel like you are getting a good representative sample of what is in that valley or is it just getting a sample of what came from other parts of the island, things that have been trucked in from other locations and been dumped there?
  - Response: My understanding from talking with the old-timers is that most of the time what they did out there was trench down six or eight feet, dig a trench, put in the ordnance that needed to be disposed of, bring in additional explosive and blast it, and then cover it up, and then come out and dig another trench next to it.
- How do you know you're not looking at something that has not been trucked in?
  - Response: I've been out there and it looks like the soil that is over here, though it is pretty grassed in by now.

- Make sure that the sampling process goes deep enough to capture the true soil.
  - Response: That is a good comment.
- The lower numbers showed more disturbances? (Referring to a display figure.)
  - Response: I believe that is correct.
- There is [a] picture taken from the ‘Ōhikilolo peak in 1976 that shows the OB/OD site filled with water. It may help you determine where there was a lot of disturbance.
  - Response: It would be helpful to get all of that information.
- Are the questions asked in the interview with the old-timers available?
  - Response: Yes, they are part of our Administrative Record.
- Who are the old-timers?
  - Response: Tom Husemann, Sammy Houseberg.
- These men only represent the US Army. What about the Marines, the Navy, and the Army National Guard.
  - Response: Please know that we do not consider these two interviews to be all inclusive. Those are key people that we went to in preparation for the sampling plan. Additional interviews will occur.
- Consider the employees that were out there for your interviews.
- Look at the Environment Hawai‘i, ’92 and the University of Hawai‘i Report. It comes up with a lot more tonnage than what is listed in your plan.
  - Response: We did look at the Environment Hawai‘i, and you are right, their tonnage numbers are higher.
- Will there be site visits to the boreholes and what are the costs?
  - Response: We had not been planning a site visit. The borehole testing and sampling are on the order of \$2,000 to \$5,000 dollars each.
- How long are you allowing for the samples to be taken, and what if there are no large rain events during that period?
  - Response: We are planning to take samples from three rain events per year. If at the end of the year, it hasn’t rained, we will reevaluate.
- Will there only be testing in the streambeds?
  - Response: Right now, there will not be testing in the muliwai.
- Why are the muliwai not going to be tested?
  - Response: The Settlement Agreement states that first we’d look at what’s on-site in the streams. First we do it this way and see what we find, and then the muliwai are a second step.
- Why aren’t there more sample sites upstream, towards the back of the valley where there was larger ammunition fired? We are interested in cumulative impacts.
  - Response: We are trying to answer the two main questions: What’s happening when it rains a lot and water flows off the military reservation into...
- Your sampling sites make no sense. If there is a big rain, it will be past there. If there was no boundary and no Settlement Agreement, do you feel that this would be the best place?
  - Response: We would sample down towards the bottom of the stream and get stream flow from the entire valley. The muliwai ponds change shape a lot and to set up instrumentation around it would be difficult.
- Consider taking samples at higher elevations so that we can see what has been deposited at the different elevations.
- The water in the muliwai comes from underground. How will you test for that?
  - Response: That is the groundwater and it will be discussed in a couple of slides.

- You will not test the muliwai because it is off the reservation, but you will test for noise and air quality samples off the reservation?
  - Response: That is a good point and we'll take record of it.
- The Settlement Agreement says that these studies will evaluate whether there is the potential for any contamination to be transported beyond the boundaries. If the studies reveal a likelihood of such contamination is occurring, then the defendants will undertake additional studies of these resources.
- I would suggest at least three feet of sediment near the center of the muliwai.
- When you take your soil sample, how much do you take? How many grams? How does the lab sub-sample?
  - Response: The shallow surface soil samples are put in eight-ounce glass jars. The labs take an area about the size of your fingernail of that and run that in the lab.
- Will the 0.5-gram sample that the lab takes be representative of the 500-gram sample that is sent in? You should speak with the guys at Environet and see how they handled this problem. Will the samples be representative of the whole valley?
  - Response: Yes and no. We take the samples we have and we extrapolate it and take what data we can get out of the literature. Modeling is a tool for estimating. Groundwater is different because it mixes and the samples are a little more representative.
- Is there error rates or probabilities?
  - Response: Yes, in section 7 of this report there are probabilities for each type of sample. The rule of thumb is that two soil samples that are within 50% of each other are considered to be the same result.
- I recommend that you set up your sites so that some kind of geostatistics can be applied and we can have an estimate.
- How much does the EIS cost?
  - Response: \$4 million.
- We request to see the proposed budget.
- The scope for the soil sampling is too narrow.
  - Response: We have to start somewhere, so we do the interviews, and these sites that were chosen are most likely to contain metal, explosives, and other compounds associated with operations.
- How do you know that without a baseline?
  - Response: We've chosen sites that are no longer in use.
- I'm concerned that the soil sampling scheme. A baseline is something we'll have to look at.
- Where are the soil and water samples going?
  - Response: The main soil and water lab is EMAX Lab in Torrance, California, and ten percent of the samples for lab accuracy will be sent to Sequoia Labs; there are four labs in northern California. There really isn't a lab in Hawai'i that does all these analysis.

## Water

- Samples should be taken in the muliwai.
- How much does it cost for each of the wells that you're going to be digging?
  - Response: The deeper ones are more expensive. The shallower wells are around \$25,000 to \$30,000. The deeper wells are more \$50,000 to \$60,000.
- What were the hydrology studies being used?

- Response: USGS has a hydrographic atlas written by Takasaki in the late '70s. That is the main reference. The USGS also drilled some water test wells in the early '60s. That was the two basic ones that we looked at. We used the rainfall atlas for Hawai'i.
- John Mink had a really thorough study.
  - Response: We'll have to get a copy of that.
- Why were only six rounds of water sampling decided upon?
  - Response: That is what is commonly done, and that is where we are going to start.
- How do you plan to account for an El Niño year and conditions that are not representative of the conditions that exist at Mākua?
  - Response: During modeling, we will do a range of inputs based on historic data.
- Why is the bomb crater/junk car crater not being tested?
  - Response: Until those cars and UXO are cleared, there can't be any sampling done. We felt there were other sites that were more important.
- Why is there not a well at the OB/OD site, a deep monitoring well? I recommend that you put a well in at this site.
  - Response: We decided to put our wells in here and look at what is the chemistry of the groundwater that is going off the site. In order to figure that out, we don't need that well.
- The four wells that you have is a good start.
- Where are the soil and water samples going?
  - Response: The main soil and water lab is EMAX Lab in Torrance, California, and ten percent of the samples for lab accuracy will be sent to Sequoia Labs; there are four labs in Northern California. There really isn't a lab in Hawai'i that does all these analysis.

**Public Meeting  
Prescribed Burn and  
High Priority Areas for Unexploded Areas  
24 September 2002  
Wai'anae District Park Recreation Center  
Wai'anae, Hawai'i 96792**

**STAFFING**

Presiding Officer: Major Jeff Butler

Panelists: MAJ Jeff Butler, Laurie Lucking, Ph.D., CPT Kathleen Kelly, Gayland Enriques,  
Tom Husemann

Facilitators: Miki Lee

**ATTENDANCE**

Individuals Signed In: 18

**SCHEDULE**

Meeting Convened: 1904

Meeting Adjourned: 2119

**Questions and Comments**

**Prescribed Burn**

- After doing the burn, you'll be able to confirm whether or not the area has ICM?
  - Response: That is the expectation, yes.
- How large of an area are you going to burn at one time?
  - Response: We are discussing different plans that we have with the US Fish and Wildlife Services.
- Do you have to burn in order to lessen the fuel load? Are there other alternatives to a burn?
  - Response: We have looked at that in the EA as far as mechanical treatment, but it's probably more cost-effective by doing a burn. We also have to take adequate control measures. We should be able to control those fires effectively.
- Once you get into the areas where there is trees, is there any way that the trees could be preserved?
  - Response: Most of the areas that we are going to have intentions of burning are in the valley floor, which is primarily grass. There are haole koa stands; there are some keawe trees and so forth. But other than that, most of it is just grass.
- What is the deadline for the comments on the EA?
  - Response: 8 October 2002.
- The letter from US Fish and Wildlife does not say that you cannot comply with the settlement consistent with the ESA; it just says that you need formal consultation to do it. Will you be continuing consultation of this?

- Response: After looking at the plan, we felt that there was a lot more risk outside the firebreak road and we decided we're not going to go with this plan.
- If you surface-clear that area (648 acres), that will address the safety issue, you hope, but will not allow access—people should not assume that they will have cultural access based on that clearance to all the sites located within the firebreak roads and the small additions that you're proposing an option to. Is that correct?
  - Response: What we're asking [for] you [to] tell us is which areas within the areas that are going to be cleared you would like to access. It's up to you to determine which sites you want to go to in the areas that will be cleared.
- Your clearance will not be enough automatically to let someone go in there.
  - Response: Not automatically. We'll have to get it declared low hazard, and we'll have to get someone in there to maintain the grass so it stays low.
- I would like to see the burn plan altered to avoid the highly sensitive areas. Eventually the expectation is that the valley will be accessible and usable again, and that it sustains life.
- What kind of provisions can be put in place that will, one, control the future growth of fuels. Because if it's cleared, then it becomes eligible for low-hazard rating, but if the grass grows again, it goes right back on high hazard.
- Is there any kind of retardants or mats that are used for both erosion control and weed control?
- Is there going to be sampling for contaminants of concern that would be added to the EIS?
  - Response: We will be taking air samples.
- You don't have to burn to find sub-munitions. We found them in 8-foot grass on Kaho'olawe. But if you do, I like to burn in areas where I know there's 40 mls igniters, because I don't trust some of the technology that are out there, the ones that they tell us about.
- There are better technologies out there, but the government does not allow us to use them.
- You don't fight fires with a helicopter on an ordnance range.
- Do you intend to burn the whole 900 acres at one time or in chunks?
  - Response: We're going to start with Units A and B.
- We would like to see burning done in small increments and some replanting done.
- Plans 2 and 3 would not require formal consultation under the Endangered Species Act and would not, in the Army's and USFWS opinion, be likely to adversely affect endangered species.
- The burn plan is far short of what the Judge's orders call for.
- How much money was spent for the burn?

## Culture

- Is consultation with the community going to continue when large ordnance is detonated near cultural sites?
  - Response: Yes. We will not make those decisions alone.
- For the suspect areas where the sites are, will we be able to resolve this question about whether ICM is present?
  - Response: It would be hard to burn the area in the back of the valley.
- Are the five cultural sites that are located within the ICM area within the boundaries of the south firebreak road?
  - Response: Yes, it is.
- Why is 'Ōhikilō considered a high-hazard area? Is it an area that anybody fired into? It's been cleared before.

- Response: Because it's been in tall grass. It is not an area we keep cleared. We had ship-to-shore shelling for a long time.
  - Response: It has been cleared before, but the record keeping isn't that great.
- The ship-to-shore was towards the back of the valley. Has any UXO ever been found? We should survey it.
  - Response: I don't know if we've ever surveyed it.
- Will community observers be allowed to go and look over the archaeologists' shoulders to ensure that they are not missing anything?
  - Response: I will need to get clearance from EOD.
- With respect to the Mākua EIS burning impacts being analyzed, will you be monitoring air quality during the burn?
  - Response: Yes.
- With respect to funding, when you said that you've gotten the funding secured for the UXO clearance, could you describe in greater detail whether that's the thousand meters or that's everything within the area proposed to be burned or what level of UXO clearance, those types of things? Will the cleared area satisfy the safety issue with respect to public access areas on Farrington Highway and Mākua Beach?
  - Response: Funding has been secured for surface clearance for 468 acres of the areas that are proposed to be burned. Hopefully this will satisfy safety requirements.
- This is a public hearing, and you've decided on executing Burn Plan 2. No opportunity for comments to change your mind? Maybe Burn Plan 1 with some modifications.
  - Response: That's what we're proposing right now to implement as a result of our consultations with USFWS. It is possible to modify the burn plan.
- If you got money for the surface-clearing for everything within Option 2, how about public/community cultural access to any cultural sites found within the area that's surface-cleared?
  - Response: That is a good lead in. Our priority in this meeting is to identify your priority and what cultural sites you want to go to.
- Will the clearance of cultural sites go away after the prescribed burn?
  - Response: No, it is a separate matter. The only reason we are grouping them together is because the fire will be clearing some of the areas that you want access to.
- We would like to add the sites at the back of the valley to the list. And the sites that are just outside the fire break road.
- Site 9522 and the rest of the sites in the back of the valley are a priority.
- I want access to every archaeological site known here. I want you to backtrack on the Department of Defense Explosive Safety Board of Certification Requirements that allows me to go there, and you clear it to that standard where I can go there.
- Consult with Cultural experts for activities taking place in the vicinity of the cultural sites.

- If you surface clear that area to a thousand meters inside, you should have access all the way up to those thousand meters, and let's go further up into that valley.
- It's unfortunate that we're not subsurface removing this ordnance, because that would mean that we would not have to have an EOD escort walk up around. We could go unimpeded.
- Do not relegate these sites according to prioritization. You are relegating to significance. I call this significant, but bulldoze the rest.
- The Settlement Agreement does not say that the Army has any right to not clear all of the areas that were identified in the Settlement Agreement if it would require a formal consultation.
- All cultural sites are a priority.

### General

- Too much conflicting information is given out from the Army.
- On that fire burn next to Kāneana Cave, did it start on the fire side, or did it start on the crest?
  - Response: It started alongside the road.
- Meetings need to be longer to allow for the public to speak.
- You mentioned that there was funding for 468 acres. Is that what I heard? The numbers between Gayland's presentation and what you're saying do not match up.
  - Response: 648 acres. We have areas that are being groomed right now, that are surfaced cleared, within the training area, which brought that down to 468 acres.
- I know what is environmental justice. They don't put bombing ranges in certain kinds of people's neighborhoods. They put them in ours, and don't clean up their 'Ōpala.
- Is there going to be another meeting?
  - Response: We don't have it scheduled right now.
- There is inadequate information, and not enough time.

### Improved Conventional Munitions (ICM) and Unexploded Ordnance (UXO)

- Is there any confirmed ICM in Mākua?
  - Response: I have not seen anything that shows that there is confirmed ICM, except the letter came down from someone. We still have no idea. When it is a suspect ICM area, we have to treat it as an ICM area until we determine whether it is or not.
- The suspect ICM area was identified within the firebreak road?
  - Response: Right. There are two little areas that are suspected ICM areas.
- How are suspect ICM areas determined? What calculations are they using to determine that whole back of the valley is within the range of an ICM?
  - Response: If you find one, you will find many. We cannot take the chance of someone tripping over one. The director of the USARHAW Safety Office distinguished the back of the valley as a suspect ICM area at the time they found ICM there.

- If he only saw the one inside the firebreak road and if you're able to do a burn and confirm that there is none inside the firebreak road, will that free up the area outside the firebreak road?
  - Response: I cannot make that decision. It would have to be discussed.
- We have requested a copy of the letter that Sammy [Houseberg] had written regarding the ICM sighting, and now they say that they cannot find it. How long ago was this letter written?
  - Response: This letter was written some time after 1995 in regards to a directive from the Department of the Army that all installations had to send in their known suspected ICM areas. And it was written before any requests were made for written evidence of sightings.
- If Sammy was the one who seen the ICM, will he have a hand in determining what happens with the ICM area?
  - Response: Yes, Sammy will be involved.
  - Response: There were two sightings, one by an EOD person, escorting an archaeologist, and one by Sammy in the back of the valley.
- In all of the range records, is there any indication or evidence that ICMs were used there? We've been told that there were no records that indicate the use of ICMs there.
  - Response: We have no idea of the delivery system that they may have used or who put it there, but as long as it is suspect, we're not going to authorize anyone in there until we can clarify that it isn't there.
- I want it noted for the record that you said there are no records.
- You must have in your hands an exemption to go back there and try to do that (survey).
  - Response: No. That is not true.
- According to General Eikenberry, before you could even go and look for ICMs, you needed an exemption from the Pentagon. We're still waiting for an answer from that process.
  - Response: I think that refers to the back of the valley where you cannot do a controlled burn so you can see the surface. On the inside, there is a method that seems to be something we can do and do safely. Without doing a burn, the area would have to be cleared manually.
- We are talking about getting to the back of the valley, period.
- I had asked for a copy of Sammy's letter a few months ago, when discussion about the blue trail and the access that just happened came up. We would appreciate a copy of the letter.
- There are many hunters who hunt in Mākua on a regular basis. If there were ICMs up there, someone would have got hurt.
- Is there a record of all of the clearances that have occurred to date, and can we have access to those records?
  - Response: There was a memo written that listed all of the UXO that they uncovered during that sweep and detonated a lot of it. We never got it to the point where it was declared low hazard.
- How do you get it to the point where it is low hazard?

- Response: Three people have to sign off on it.
- The Settlement Agreement calls for subsurface inspection. We wanted you to do subsurface on the whole valley. We didn't get that. What we got in the settlement was the areas within the south firebreak and the SDZ as shown on Figure 2-2. That is what you're measured against, even if in reality you've moved the mortar and placement and, therefore, the SDZ has moved. The court order would have to be modified to reflect that.

**Public Meeting  
Cultural Access  
10 December 2002  
Wai‘anae District Park Recreation Center  
Wai‘anae, Hawai‘i 96792**

**STAFFING**

Presiding Officer: Major Jeff Butler

Panelists: MAJ Jeff Butler, Laurie Lucking, Ph.D., CPT Kathleen Kelly, Gayland Enriques, Tom Husemann

Facilitators: Annelle Amaral

**ATTENDANCE**

Individuals Signed In: 24

**SCHEDULE**

Meeting Convened: 1815

Meeting Adjourned: 2054

**Questions and Comments**

**Cultural Resources**

- How are potential burials handled? What effect does state law have on our discovery of ‘iwi?
  - Response: We are not subject to state law, but we are subject to NAGPRA. We are not saying that these are burials, but they might be. If we found any indication that there actually were burials there, the law is very strict. We notify the O‘ahu Burial Council and Queen Mālama i Nā Kūpuna Hawai‘i Nei within 48 hours.
- What does Phase II mean on the preliminary recommendations?
  - Response: This has been a very preliminary survey. Phase II means you go out, you take a really close look at it, you do plain view mapping, you do more photography, and in some cases you might do test pits to see the extent of the site boundaries.
- Here is our prioritized list of cultural sites for access. Number 1, Mākua mid-valley complex, sites 4540 and 5586 through 5590. Mauka Mākua, sites 4627 through 4629, 5920, and 9523. And our third priority is the new potential sites in Kahanahāiki, some of which are heiau, some of which may be mislabeled as agricultural field-type settings. We would like to go ground troop that area.
- Cultural access priorities also include, number 1, the construction of an ahu in each of the valleys that encompass MMR. These ahu serve to remind us that the Hawaiian culture is a living, breathing culture that is not restricted to piles of rocks, assigned site numbers by non-Hawaiians. Number 2, to build an imu, which is mauka the entrance fence but makai of the (unintelligible) and this is to mitigate and minimize fires but still comply with our cultural beliefs and practices. Number 3 to mālama and take responsibility for areas not utilized by the Army for training, such as the Pūhaku Ki‘i and the two wells near the mango trees. The kuleana, which means

responsibility, includes cleaning and maintaining those and other areas. Number 4, planting, maintaining, and harvesting ‘uala, ipu, and other plants for presentation at cultural functions in other geographic locations, such as Kaho‘olawe, Hawaiian Island, Alaska, et cetera.

- Section 13 in the Settlement Agreement says that members of the Wai‘anae community, including Mālama Mākua, will be allowed daytime access, sunset to sunrise, to MMR to conduct cultural activities, not just look at a pile of rocks. Cultural activities are to mālama, plant, so that we can take ho‘okupu when we go to Kaho‘olawe or we go to Hawaiian Island or we go to Alaska and interact with other native groups.
- All other sites are equally as important.
- What is the definition of “culture”? And if it is Hawaiian culture, who will have access to Hawaiian culture?
  - Response: I don’t think that we’re here this evening to discuss how we access, who will access, or any of those. We are really seeking our best knowledge of the area and what you would deem to be the priorities of these ten complex areas.
- All sites in the valley are of number one priority because of the historical value in it towards my own family and those of others. Kamehameha warriors were all in that area. ʻŌkanipū was an area for the chiefs as a dry-out as they wash the bodies down over at what we call “Pray for Sex.” It was a place where their families lived.
- We were forced to prioritize.
- Being forced to prioritize is forcing a foreign culture on to the Hawaiian culture. It is outrageous. The United States military should stop pushing Hawaiians into prioritizing their sites.
- All sites are important to us but you have to start somewhere.
- Mākua should be used to plant foods.
- Site 20 would be a good place to start some sweet potato mounds. It is one of the few sites that have been cleared. It would be good to do some subsurface clearing in that area. It is possible.
- One of our priority areas is in the suspected ICM areas. It’s been a year and a half since we asked for the waiver. At the last meeting we were told that the waiver had not left Honolulu at that time. Has the waiver left Honolulu yet?
- I would like to add Site numbers 1, 2, 5, 6, 12, 16,17 and 18 to the list. Site number 5 is fairly close to the firebreak road.
  - Response: That area has not been cleared. It’s been surface swept, but the UXO is still there. It has not been taken care of yet. Access to these areas may take longer than expected because of the rains.
  - Response: It probably will not be in January. We need 60 days to request EOD support.
- Is it possible to have grass maintained?
  - Response: Your request will be noted on the record.
- I believe that there is an abundant amount of sites with archaeological significance. We can go haywire picking every rock that maybe there’s three rocks in place and call it a site. My priority would be to identify the heiaus as places of the highest value, religiously. Going further than the heiaus is overdoing it. Nowhere on the Wai‘anae coast has been so thoroughly examined.
- What is GANDA?
  - Response: That is the archaeological contractor, Garcia and Associates.
- Some of the sites are labeled, “No further work.”
  - Response: It is a recommendation by the contractors.
- There are different definitions for the term “heiau.” That is why I chose all of the sites. It is family and you are talking about ‘iwi kōpuna. It is hard to prioritize.
- Not every site is of cultural significance.

- Our senators and congressmen said that Mākua would be given to the farmers when your lease was up.
- It would be a good idea to use the cultural access to cleanup or plant in the good soils.

### Improved Conventional Munitions (ICM) and Unexploded Ordnance (UXO)

- How did the burn go? Can we get an update on how much UXO has been identified and removed?
  - Response: Those questions will have to be answered in another forum.
- What is the budget for the removal of UXO?
  - Response: Those questions will have to be answered in another forum.
  - Response: We do not have those numbers at this time.
- Have we ever gotten a map of the areas in the valley that have been surface cleared? It would help in prioritizing.
  - Response: The sites that are listed as “Accessible” are considered cleared.
  - Response: A map had been prepared for a prior public meeting. I can get a copy to you.
- I would like to hear about the suspected ICM areas from Sammy Houseberg.
- Why are helmets and flak jackets required for Mākua and not Kaho‘olawe?
  - Response: Kaho‘olawe is being managed by the Navy and not the Army.
- If ICM were so dangerous, why did they put it on the land and use it in the first place?
  - Response: I have no idea. For years, all you had to do was sign out a key in order to use Mākua. I have eyes on. I physically picked these bodies up and removed them. I marked the ones that were live for EOD to come in and detonate. We did that for quite a period of time, until the grass came in and we could no longer finish. We know they are there. I have not revisited the place for 10 or 12 years. I am the Director for Army Safety now and it is my job to make sure we don’t do unsafe things like I was doing.
- Why do you let people go into that valley and train?
  - Response: We have guidance that says that as long as we’ve reasonably cleared it, soldiers are allowed to train. We do that all over the Army.
- With respect to the suspected ICM area that is within the south fire break road, when it is burned successfully, will we then have an opportunity to either further access the ICM area within the firebreak road or, hopefully, confirm that there is no ICM within the fire break road?
  - Response: I would never do that. ICM goes subsurface. I want to help you define the area better, but I cannot do that until the Army gives me permission.
  - Response: As far as suspected ICM or confirmed ICM, they are both treated the same. So even if it is suspected, you’re still limited and you still can’t enter the area to clear it.
- If your concern were that the munitions might be subsurface, what would allow you to further define the area?
  - Response: Just by walking and my intuition and knowledge, the best I can. Based on my memory.
- A better outline of the ICM area is needed.
- What is the process for ICM removal?
  - Response: I have no idea. I would have to ask about the technologies. Right now, we do not clear them.
  - Response: Current Army policy prohibits entry into an ICM area to clear it. You can only request a waiver to enter an ICM area to define the boundaries of the area but not to clear it. ICMs are so dangerous.
- The ICM area is a sacrificed area that the community will never be able to get into?

- Response: Hopefully, with the redefinition of the borders, we can restrict the ICM area to a smaller area.
- Can metal detectors detect ICM?
  - Response: There is so much metal out there.
- Just dig up all the metals out there and you will get the bad stuff out too.
- If those things are scattered all over, is it reasonable to assume that some of them are on the heiau or archaeological sites?
  - Response: I really can't answer you until I walk in there. When I was there, the whole area was bush and scrub. Yes, you can assume that.
- What will the Army do to mediate for the protection of that site once they come across this?
  - Response: If we find normal ordnance, we have a plan. We come back to the community and tell them where it is in relation to the site then we show them how we will protect it. If ICM is there, we never get in there.
- Is there any deactivation or decon procedures for the ICM areas, or do you just define the boundaries and mark them as off-bounds and wait until they degrade into the soil?
  - Response: Currently the Army does not have any technology, which will permit clearing ICMs. The Army policy clearly states that not even EOD personnel will enter an ICM area for the purpose of clearance. It is a safety issue.
- Once the boundary has been made, is it ever reexamined?
  - Response: Since Mr. Houseberg has been there, the policy has changed. Maybe it will change again in the future. Maybe new technology will be developed. As it stands right now, all we can do is try to redefine the boundary.
  - Response: This is all based on current policy and technology. There are always advancements being made. It is even in the Army's best interest to develop technology, because it's part of the range that we use and it makes it hard to use that part when we have to keep the soldiers out.
- Where is the letter? Where is the request?
  - Response: After the last meeting, we reconstructed the waiver, and we are resubmitting the waiver. It is now being staffed through division.
- We lost a year and a half. The waiver was supposed to be done a year and a half ago.
- Mākua will end up just like Kaho'olawe.
- How is the ICM area determined?
  - Response: I went out and did a map recon. I went on the road and walked around that area and put what I could best remember.
- What is the status on the ICM waiver?
  - Response: You can request an ICM waiver to enter an ICM area to define the boundaries of the ICM area, but not to clear it for access.
  - Response: We are going to do it as soon as possible.
- There are lot [of] numbers on these munitions. Can you trace those back to the ones who put them there?
  - Response: There are numbers, but I am not sure if they are lot numbers. I will try to track them down.
  - Response: This is not a finger pointing. We're trying to look forward and try to clean it and clear it and define it. These things were done when there were no environmental laws and controls like we have now.
- Help me find where it came from and maybe I can find more information on how to deal with it after you guys are gone.

- Response: Some munitions do have lot numbers on them. But what we would actually need to track or do the lot number on is the projectile itself, which we don't have.
- Just last year, the ICM area covering the OB/OD site used to be manicured. All of a sudden it is an ICM area.
  - Response: We hadn't realized that the contractors were going in to that area. As soon as we did, we showed them the map because it had been identified. It should never have been opened to the grass cutters.
- How soon can we get out there after you get the waiver?
  - Response: We're going to have to burn again. The grass is back up to knee high and we can't see the ground to walk. It is probably going to be when we burn again in July.
- ICMs should be called by its common name, cluster bombs.
- A program showed on the NOVA channel showed that the German's had technology for removing and destroying ICMs.
- What kind of documentation of the sightings exists? Can we get copies of the documentation for our records, so that we can track progress?
  - Response: There are no photos, just areas on a map where we were working and surface clearing that area.
- Are there any robotics that can be used? Something that can agitate and stir up these things?
  - Response: Those in the UXO and de-mining community have been working on a lot of different technologies in other areas; however, there is no technology that works everywhere. Most of them are armored vehicles with a sifting or chain or plow-type system on them. I think that if you tried to use those in large parts of Mākua, you would end up destroying a lot of good cultural sites in the process.
- Can we get a copy of HQDA, Message 151835z, dated April 1996, and HQDA Letter 385-01-1, dated March 2nd, 2001.
  - Response: I have copies of the latest letter, but we do not have the 1996 letter. I have one dated 2 March 2001 and can give your attorney a copy of that. I will work on getting the first one.
- Have there been any instances in which something similar to a bangalore has been used to breach an ICM area?
  - Response: I don't know that. Not in training. But I don't know if that's the case in other areas of the world.
- What did you do with all the UXO that were found?
  - Response: The UXO was marked and put into GPS and have been turned over to Range Control for follow-up and disposal by military EOD.
- How many were found?
  - Response: I believe it was 49, mostly small, ranging from 40 millimeter projectiles up to one 100-pound bomb.
- How many acres have been surface cleared as a result of the burn?
  - Response: We actually went into quite a few areas, cleared that, and reported being surface cleared, and documented around 60 acres total.

### Prescribed Burn

- Can we get an update on how the burn went?
  - Response: Those questions will have to be answered in another forum.

- Once the area is cleared, is there some way that there can be weed control utilized to prevent the grass from growing up and you're constrained from going back in and removing the ordnance? Things like plastic sheeting?
  - Response: Those questions will have to be answered in another forum.
- On the Big Island, the Forest Service is replanting native plants that are resistant to fires.
  - Response: Those questions will have to be answered in another forum.
- What is the timeline for the burn?
- It seems to me that the most dangerous thing that you can do in Mākua is fighting a fire.
  - Response: When there is a fire, I restrict people from fighting it and we use aircraft.
- For the prescribed burn, was everyone wearing kevlar and flack jackets?
  - Response: Yes.
- When were kevlar and flack jackets first required?
  - Response: We'd have to check that out for you.
- With respect to the consultation, have you prepared a biological assessment yet and sent that to US Fish and Wildlife Service?
  - Response: We used the environmental assessment and the burn plan to initiate consultation.
- What is the cost of the prescribed burn?
  - Response: We spent over \$125,000 just for the burn, not including the UXO clearance.
- So you think that it was a good decision to do the burn in the first place, knowing that it's going to cost that amount to do it again?
  - Response: We were, and the weather was the biggest influence of us not being successful. We were somewhat committed, based on our resources, and, based on the oversight from the Forest Service, we elected to proceed.
- Why did you burn such a large area?
  - Response: That is in compliance with the Settlement Agreement. That is the areas, which are within the thousand meters and also within the SDZ.
- Did you get what you want out of the large burns?
  - Response: Yes. We are somewhat limited in our access. We compartmentalize most of that area with interior road network, and used helicopters to get to areas that were inaccessible by ground.
- November is not a good time to burn. We hardly get rain.
- What were your incendiary devices that you used to start the fire? What were your fireproofing materials that you used?
  - Response: The two that were used for drip lines, were diesel fuel and fuel mixture. There were also ping-pong balls that have potassium permanganate, which is a chemical with the consistency of gunpowder, and injected ethylene glycol. As far as fireproofing, the fire retardant that we used was a liquid that was mixed with water that we put in the storage container, that actually picked up in the fire buckets and applied onto those areas that we identified as primary and secondary containment lines.
- Do we have a half-life on those fireproofing materials?
  - Response: They are environmentally friendly; it's been used in the forest and approved by the Forest Service.
- What do you mean by "small" parcels?
  - Response: sixty to 100 acres. Unit A is approximately 400 acres; Unit B was 300 acres; both C1 and 2 were estimated at 70 acres and 30 acres, respectively.
- How much of the 1,000 meters are left to burn?

- Response: I really couldn't tell you. I don't have the answer to that.
- I want to congratulate the Army for doing such a good job, all the people that planned to make this happen. We didn't have any over burns.