APPENDIX H-7
CZMA DETERMINATION

LINDA LINGLE
GOVERNOR
THEODORE E. LIU
DIRECTOR
MARK K. ANDERSON
DEPUTY DIRECTOR
MARY LOU KOBAYASHI
ACTING DIRECTOR
OFFICE OF PLANNING

DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT & TOURISM

OFFICE OF PLANNING

235 South Beretania Street, 6th Floor, Honolulu, Hawaii 96813
Mailing Address: P.O. Box 2359, Honolulu, Hawaii 96804

Telephone: (808) 587-2846
Fax: (808) 587-2824

Ref. No. P-12021

January 24, 2008

Mr. Gary Shirakata
U.S. Army Corps of Engineers
Honolulu Engineer District, Building 230
Fort Shafter, Hawaii 96858-5440

Dear Mr. Shirakata:

Subject: Hawaii Coastal Zone Management (CZM) Program Federal Consistency Review for Military Training Activities at Makua Military Reservation (MMR), Oahu

The proposal to conduct military training activities at MMR has been reviewed for consistency with the Hawaii CZM Program. We concur with your determination that the activity is consistent to the maximum extent practicable based on the following conditions:

1. As stated in the Army's letter dated January 9, 2008, military training activities at MMR will not include the use of illumination munitions, C-ridge (between the north and south lobes of the training area) or Kaena Point, until Section 7 (Endangered Species Act) consultation is reinitiated and a no jeopardy biological opinion is received from the U.S Fish and Wildlife Service. The no jeopardy biological opinion shall be forwarded to the Office of Planning.

2. To minimize the potential for wildland fires, the Army will comply with the requirements of the June 2007 U.S Fish and Wildlife Service biological opinion, as stated in the Army's letter dated January 9, 2008. In addition, the Army has represented in its letter dated January 9, 2008, that the Integrated Wildland Fire Management Plan is currently being updated and revised and will incorporate actions that will fulfill the biological opinion requirements.

CZM consistency concurrence is not an endorsement of the project nor does it convey approval with any other regulations administered by any State or County agency. Thank you for your cooperation in complying with the Hawaii CZM Program. If you have any questions, please call John Nakagawa of our CZM Program at 587-2878.

Sincerely,

Mary Lou Kobayashi

Mary Lou Kobayashi
Acting Director

c: U.S. Fish and Wildlife Service, Pacific Fish and Wildlife Office
Department of Planning and Permitting, City and County of Honolulu

DEPARTMENT OF THE ARMY
US ARMY INSTALLATION MANAGEMENT COMMAND, PACIFIC REGION
HEADQUARTERS, UNITED STATES ARMY GARRISON, HAWAII
851 WRIGHT AVENUE, WHEELER ARMY AIRFIELD
SCHOFIELD BARRACKS, HAWAII 96857-5000

FILE COPY

REPLY TO
ATTENTION OF:

9 JAN 2008

Office of the Garrison Commander

Ms. Mary Lou Kobayashi
Acting Director
Office of Planning
Department of Business, Economic Development and Tourism
PO Box 2359
Honolulu, HI 96804

Dear Ms. Kobayashi:

This is a follow-on letter to our letter dated September 13, 2007 regarding the Coastal Zone Management Consistency Determination for the proposed training at Makua Military Reservation (MMR). Mr. John Nakagawa of your staff requested additional information and clarification on the changes to the proposed action in response to the US Fish and Wildlife Service's (USFWS) June 2007 Biological Opinion (BO) on the effects of training at MMR. The following explains the differences between the BO project description and the preferred alternative as described in the Environmental Impact Statement (EIS) for Military Training and MMR:

a. The differences between the EIS preferred alternative and the BO project description is that the BO does not include the use of illumination munitions, C-ridge (between the north and south lobes of the training area) at MMR, or Kaena Point. Illumination munitions are not included because of their highly incendiary nature and high fire threat at MMR, and also the inability to accurately predict with any certainly where they will land. Use of C-ridge was removed from the BO project description because of the large fuels present on the hillside and the history of this ridge being the mechanism by which previous wildland fires have jumped to the top of the valley where there are many endangered species and their habitat. Finally, Kaena Point was removed at the request of the State Department of Land and Natural Resources. This area is designated a Natural Area Reserve and is set aside specifically for rare species and habitat management. Due to intense management over the past ten years, this area has seen a resurgence of the wedge-tailed shearwaters and Laysan albatross. In addition, the endangered plant species located in the area have flourished. To accommodate these BO project description differences, the Army will not implement the use of illumination munitions, conduct training on additional acreage on C-ridge, or conduct marches around Kaena Point as presented in the Draft Environmental Impact Statement (DEIS) until Section 7 consultation is reinitiated and a no jeopardy biological opinion is received from USFWS. These commitments will be reflected in the Final EIS.

b. The BO also incorporates a tiered approach to weapons usage which is contingent upon completion of specified mitigation measures. This is outlined in Table PD 2, Summary of Makua Weapons Restrictions, of the June 2007 BO. For instance, in order to be able to use the weapons identified in Column A of Table PD 2, the Army must first remove grass within 3 meters of all Hibiscus Brackenridgei and Chamaesyce Celastroides located on Lower Ohikilolo, reduce the grass to less than 20% cover within the weed control areas surrounding these populations, and must have full onsite fire suppression helicopter staffing for all weapons use. Additional mitigation measures are also outlined in Columns B through E of Table PD 2. The current BO also included intensive fire modeling which resulted in a larger action area and additional helicopter staffing requirements. Additional fire minimization measures were also identified in the BO such as fuels management within the existing firebreak road and adjacent to the endangered species management units located in the high fire threat areas within and adjacent to the installation boundary. While the EIS evaluates the effects of all the weapon systems and training contemplated, the Army is committed to comply with requirements of the BO and will reflect this commitment in the Final EIS. In addition, the Integrated Wildland Fire Management Plan is currently undergoing update and revision and will incorporate actions that would fulfill the 2007 Makua BO requirements as well.

As we are moving forward with completing the EIS, and in light of your previous request for a 15-day review extension, we ask that you complete your federal consistency review by January 25, 2008. Pursuant to 15 CFR § 930.41, we will presume your concurrence if we do not receive a response by this date. Please send your response to:

Gary Shirakata
US Army Corps of Engineers
Honolulu Engineer District, Building 230
Fort Shafter, HI 96858-5440

If additional information is required, please contact Mr. Shirakata at (808) 438-0772 or at Makua-EIS@poh01.usace.army.mil.

Sincerely,

Matthew T. Margotta
Colonel, US Army
Commanding