

Comments

18

1 testimony.
 2 I would like to comment on a couple of them. What
 3 I'm about to present is documented, and I'll provide the
 4 references to anyone interested when I'm through. And
 5 I'll try to be as brief as I can.

T2-1

6 First, to the inference that the Makua Military
 7 Reservation, the MMR, is on sacred land. I can tell you
 8 that our ancient ancestors believed that all lands, to
 9 include sea and the air were all sacred. Why? Because
 10 they were taught that the gods created them and therefore
 11 belonged to the gods. That's what made it sacred. Hence,
 12 there was no private ownership of land.

T2-2

13 Secondly, to the inference that there is mana on
 14 the MMR. Mana, which is spiritual power that's given by
 15 the Hawaiian gods. Again, I can tell you that our
 16 ancestors believed that mana existed almost everywhere, in
 17 people, in plants, in animals and, yes, even rocks, but in
 18 varying degrees. For example, those who are talented,
 19 skillful, knowledgeable, had more mana than the average
 20 individual. Kahunas, even more than them. And our
 21 chiefs, who were considered descendents of the gods had an
 22 enormous amount of spiritual power.

23 However, these beliefs all ended in 1819 when
 24 Kamehameha II, purposely violated one of the most sacred
 25 of kapus by sitting down and eating with his mother and

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T2-1

The Army thanks you for your comment and appreciates your participation in this public review process. Your comment has been considered and has been included as part of the administrative record for this process.

T2-2

The Army thanks you for your comment and appreciates your participation in this public review process. Your comment has been considered and has been included as part of the administrative record for this process.

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1 some other women. This was a forbidden act, punishable by
2 death. When the gods didn't punish him, the whole kapu
3 system was overthrown. Queen Keopuolani declared -- and
4 she was the mother of Kamehameha II -- declared our gods
5 have done us no good; they are cruel.

6 The chief kahuna that day, Hewahewa, stated, "My
7 thoughts have always been that there is only one God, one
8 great God dwelling in the heavens."

9 To effectively put an end to the Hawaiian
10 religion, to mana, and all that was sacred, then
T2-2 11 Kamehameha II ordered all the heiaus, sacred places of
12 worship, sacred temples, to be demolished on all of the
13 islands, god idols to be taken down and burned.

14 What this did, in effect, was to free the Hawaiian
15 people to be able to eat with their families, with
16 whomever they chose. Women, who were forbidden to eat
17 certain foods, now were able to eat whatever they chose.
18 They were able to plant whatever they chose, to fish for
19 whatever, and the list goes on and on, without fear or
20 punishment.

21 The kauwas, the lowest level, these people were
22 the untouchables. Whenever they needed a sacrifice to the
23 gods, that's where they got 'em from. They were free.
24 All of the Hawaiians were free from this bondage to the
25 kapus.

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1 And let me add, no succeeding ruler --
 2 Kamehameha III, IV, V, Kalaukua, Queen Liliuokalani, who
 3 by the way was a staunch Christian -- ever restored the
 4 Hawaiian religion.

5 In 1820, the Christians arrived. Our ancestors
 6 were drawn to this God, a God of love and forgiveness, a
 7 God that believed human life, of being created in the
 8 image and likeness of God, was sacred. So you see, it's
 9 human life that is sacred on the MMR.

T2-3

10 So based on the information I've provided, we who
 11 support our military -- the Veterans of Foreign Wars, the
 12 American Legion, Supporters of Training in the MMR,
 13 military service member families, and the silent
 14 majority -- strongly recommend that the MMR be utilized as
 15 necessary to insure our soldiers are effectively prepared
 16 for combat and that their preparedness takes priority over
 17 any plant, animal, or cultural consideration.

18 To those who oppose our military, I remind you
 19 they are not here by choice. They're here because our
 20 congressmen, whom we elected, put them here.

21 Thank you for listening. Mahalo.

22 FACILITATOR AMARAL: Thank you very much,
 23 Mr. Prescott.

24 The next speaker is William Aila, followed by Kauai
 25 Amsterdam.

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T2-3

The Army thanks you for your comment and appreciates your participation in this public review process. Your comment has been considered and has been included as part of the administrative record for this process.

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1 Aloha.

2 MR. AILA: Aloha ahiahi, everyone, tonight. Bill.

3 FACILITATOR AMARAL: Aloha.

4 MR. AILA: Before I begin my formal testimony, I'd

5 just like to thank the previous speaker for his

6 revisionist history of Hawaii. Thank you, Bill.

7 We agree on a couple of things. We agree that

8 they don't need to be here; that they're here just because

9 of our congressional delegation, which I did not vote for.

10 I also would like to thank you for confirming that

11 manifest destiny is alive and well in the 21st century

12 and being proposed even here in Hawaii by our own people,

13 the many Hawaiians who fought on battles on epic on

14 Molokai, on Hawaii island, on Maui, when the kapus were

15 supposedly overthrown and continue today to honor those

16 kapus. So it's a very bad statement to say that it all

17 went away. I have kapus that I still continue to do today

18 as a fisherman. So I'm living proof. Just so that all of

19 you see, I'm living proof that that hasn't gone away.

20 Kaumualii, my great grandmother, taught me, the

21 first fish I catch goes to Kaumualii. So every time I go

22 holo holo, the first fish I catch, guess what, goes to

23 Kaumualii. So Queen Kaahumanu and the folks that you

24 represented didn't change my culture. It's alive. It's

25 being -- it's being protected. It's being preserved and

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1 it's being promoted today.
 2 When I take my grandchildren fishing, guess what,
 3 the first fish they catch, Kaumualii. So please don't
 4 believe that Hawaiian culture went out in 1819, 'cause
 5 that is not the case. I'm living proof of that. And
 6 there are many others out there that are living proof of
 7 that. I'm so glad that you made this wonderful example
 8 because I've been trying to get Lori to understand, I've
 9 been trying to get Colonel Killian to understand that one
 10 of the ways to destroy mana -- and I'm glad you talked
 11 about mana in the rocks.

12 One of the ways to destroy mana is to burn. And
 13 that's precisely what those Hawaiians who wanted to do
 14 away with the mana that were in the idols did. They burnt
 15 it to destroy the mana. And every time there's a fire at
 16 Makua, on purpose or inadvertently, it destroys the mana
 17 of those sites. So just because the rocks didn't fall
 18 down, the mana in those rocks have been diminished. And
 19 you can smile and you can laugh, but that's the truth as
 20 many of us see it. And you're entitled to have your
 21 opinion. So thank you very much for sharing with us some
 22 of the incorrect things that some people believe.

23 On to the formal portion. Right off the bat, I
 24 got to say, 60 days is not enough. I read the entire DEA.
 25 It took me more than six days to do that. I haven't read

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T3-1

The Draft EIS addresses impacts from the proposed action to cultural resources in Sections 3.10 and 4.10.

T3-2

The Army extended the public review period from 60 days to 75 days. In response to comments, an additional 60 days were provided to the community to review the Draft EIS and associated studies related to marine resources and archaeological surveys, from February 2 to April 3, 2007. The technical experts retained on behalf of Malama Makua were provided 76 days for review of the marine resources study, archaeological study, and Draft EIS.

T3-1

T3-2

Comments

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1 the entire EIS because it's 30 percent more voluminous
 2 than that. So somehow, you need to make some sort of
 3 arrangements, some sort of concession, that 60 days is not
 4 enough to review this document.

5 This document fails to comply with NEPA and with
 6 the settlement agreement. In Chapters 1 and 2, describing
 7 its need, its purpose and scope, and its description of
 8 the proposed action and alternatives, the document fails
 9 to disclose that within Army Reg. 350-11, the Commander of
 10 the U.S. Army Pacific has the discretion -- and I'm going
 11 to use this word several times tonight -- the discretion
 12 to determine what qualifies as certified training.

13 So we are presented in this EIS a list of
 14 alternatives, but they don't tell you that in that list of
 15 alternatives or within those five alternatives or four
 16 alternatives or three alternatives that the commanding
 17 general of the Pacific has the discretion to say, well,
 18 you know what, maybe one time per company is enough. So
 19 you never will hear that discussed in the alternatives
 20 that the Army puts forth, because the Army doesn't want
 21 you to understand that. It's not in their benefit to tell
 22 you all of the alternatives. 'Cause if we knew that one
 23 of the alternatives was perhaps within the power of the
 24 general of the -- commander of the Pacific that only one
 25 time per company is enough to qualify as training, then

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T3-3

The EIS was prepared in accordance with the National Environmental Policy Act with applicable federal and Army regulations. Review of the Draft EIS by the US Environmental Protection Agency found the document to be adequate. Use of MMR as described in the Draft EIS, moreover, is structured around operating MMR as a training range available to different military groups for a variety of training activities. Use of MMR, as well as the level of activities, were not the only factors considered in developing the alternatives. The EIS was prepared in accordance with the 2001 Settlement Agreement.

T3-4

Please see response to Comment T1-3.

Comments

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T3-4 1 perhaps there would be other alternatives that are being
 2 proposed. So we don't know that because you're not told
 3 that. So right off the bat, the EIS is flawed.

T3-5 4 If we don't know what the level of discretion is,
 5 if we aren't provided with the correct analysis, how can
 6 we be expected to provide intelligent comment? If we
 7 cannot provide relevant comment on this EIS, on this
 8 process, then I repeat it, the process is flawed and it
 9 fails.

T3-6 10 Another example of nondisclosure is within the
 11 analysis that the Army uses to derive the alternatives
 12 that are before you. You don't see a budgetary or you
 13 don't see a monetary analysis of all of those alternatives
 14 or all the other alternatives. So, for example, when they
 15 say it's cost prohibitive to train at Schofield, you don't
 16 know whether the cost prohibitive was \$1 more than
 17 training someplace else or a hundred dollars more than
 18 training someplace else.

T3-5 19 Again, the process is skewed so that they don't
 20 have to tell you all the facts so that you can come up
 21 with intelligent comment, so that the process can be open,
 22 and deliberated and debated in open fashion. This EIS in
 23 this form, this draft, doesn't tell you that. So how do I
 24 know that the preferred alternative isn't to rule out
 25 training at Makua? The analysis isn't proven to me. It's

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T3-5
 The Draft EIS described the intended activities to be implemented as part of the training alternatives, which provides an adequate basis for commenting on those alternatives and the analysis of the environmental impacts resulting from those alternatives. The EIS was prepared in accordance with the National Environmental Policy Act with applicable federal and Army regulations. Review of the Draft EIS by the US Environmental Protection Agency found the document to be adequate.

T3-6
 The EIS considered other alternatives in Section 2.5. The EIS now includes evaluation of an alternative in which training proposed for MMR would be conducted at the Pohakuloa Training Area, island of Hawaii (See Chapter 2 for a description of this alternative). This alternative was added in response to public comments received on the Draft EIS. Use of MMR, however, remains the preferred alternative.

Comments

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1 given to me in terms of money. My money, by the way,
 2 because the federal government takes out those taxes.
 3 Your money, by the way, because those taxes are taken out
 4 from you.

T3-7

5 The EIS further ignores agreements that it made in
 6 the settlement agreement with Malama Makua. It has failed
 7 to complete all of the surface archaeological surveys
 8 within the CCAAC training area. It has failed to complete
 9 any of the subsurface testing for archaeological sites in
 10 the CCAAC area. It has failed to complete all of the
 11 surface archaeological surveys in the surface danger
 12 zones. Failed, failed, failed. When it comes to
 13 archaeology, it has failed to identify the universe of
 14 archaeological sites.

T3-8

15 It has failed to clear -- another settlement
 16 agreement. It has failed to clear the unexploded
 17 ordnances from a thousand meters mauka of Farrington
 18 Highway, thereby resulting in an incomplete archaeological
 19 survey, not only of the CCAAC, but of Makua, Kahanahaiki,
 20 and Koiahi.

T3-7

21 The results of these failures is an incomplete
 22 survey, not only of the CCAAC, not only of the surface
 23 danger zones, but of all of those valleys. The
 24 implication is that the Army wants us to comment on
 25 potential impacts to cultural sites even though they know

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T3-7

Surface surveys have been completed for the entire area within the south firebreak road except for those areas containing improved conventional munitions. Surface surveys have also been undertaken for the majority of the surface danger zone of the 105mm round. Surface surveys have also been undertaken for the Ukanipo Heiau complex, Koiahi Gulch and almost all of Kahanahaiki Valley. This coverage is reflected in Figures 3-24 and 3-25 in the Draft EIS.

Subsurface testing has been undertaken in Sites 4243, 4244, 4245 and 4246. This testing showed there is a subsurface component to these sites; however, this limited testing resulted in protests from two Native Hawaiians due to the invasive and destructive nature of the testing.

An additional subsurface archaeological survey was conducted in November and December of 2006. The results of this survey have been incorporated into Section 3.10, and the survey report is included as Appendix G-9.

T3-8

The Army is continuing with its plans to clear this area, subject to safety requirements, USFWS consultation, and other restrictions. The clearance of the ordnance within 1000 meters of Farrington Highway is not related to the completion of the archaeological surveys.

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1 and are well aware of and understand that the surveys are
2 incomplete.

3 Let me put it in layman terms for you, an
4 illustration is this: An insurance adjuster comes to your
5 house. He looks at two of the bedrooms in your
6 five-bedroom house. Then he tells you, hey, we're going
7 to do some damage to your house but we're not going to
8 tell you exactly what the damage is going to be. And by
9 the way, we want you to comment on what the total damage
10 to the house is going to be.

11 I can't believe that this is the kind of study --
12 I can't believe that this kind of study complies with
13 NEPA. It certainly fails to comply with NEPA, the
14 settlement agreement, any kind of moral authority that
15 they derive from in trying to make these assessments.

16 And finally, on this proclamation about readiness
17 is tempered by recent history. From 1998 to 2001, there
18 was no training at Makua, and all of the soldiers were
19 declared certified and ready. From 2001 to 2004, the Army
20 was allotted 37 CCAAC training events per the settlement
21 agreement. It conducted only 26, with several of the
22 training being company-combined assault -- excuse me,
23 being convoy training. So they didn't even use them up --
24 all of them up, and in fact used them for other training.
25 But once again, the Army certified that all of those units

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T3-3

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T3-9

1 were certified and ready to go. So for six years, at
 2 least, the value was not used at the level that the Army
 3 said it needed to use it in order to be certified and
 4 ready. In each case and in each year, the Army continued
 5 to certify that its soldiers were certified and ready to
 6 go.

T3-3

7 That indicates a lot of discretion -- there's that
 8 word again, discretion -- in determining the level of
 9 certification. And this discretion goes back to the
 10 commanding general of the Pacific.

11 So if they don't tell you all the facts, all the
 12 discretion at their disposal, and they want you to comment
 13 on a report that's three telephone books thick, the
 14 process fails. There's no other way to say it. If they
 15 don't give you all the tools that you need to make an
 16 intelligent decision with regards to how a valley in your
 17 backyard is going to be impacted and how your cultural
 18 sites, your connection to the past and your connection to
 19 the future, your children, because they got to know about
 20 who they came from, where they came from in order to know
 21 where they're going, if all of those things are not
 22 presented to you in an intelligent way and in an objective
 23 way, the process, the NEPA process, the settlement
 24 process, the moral process fails.

25 My recommendation to the Army, Colonel Killian --

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T3-9

Training requirements are constantly changing based on lessons learned in combat, training events, new equipment, and new commanders. Using historical data to assess future needs is faulty logic. Times of war, such as now, drastically change training requirements. While units have been assessed in the past as ready for combat without conducting live-fire training exercises at MMR, the Army was forced to undertake training work-arounds to include training at locations outside of the state of Hawaii. These work arounds were both time consuming and costly. Additionally, the lack of home-based live-fire training capability has an impact on Soldier morale as more time is spent away from family, which is not quantifiable in Unit Status Reports.

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T3-10

1 and I'm sorry you're the one that has to do this. I like
 2 you. You have integrity. Personally, you have integrity.
 3 The people that you work for, on the other hand, I feel,
 4 do not have integrity. So I'm sorry that you have to sit
 5 there and defend them. I recommend that you go back,
 6 complete the studies, comply with the settlement
 7 agreement, provide the public with information concerning
 8 the levels of discretion and the budgetary items that went
 9 into making those alternatives preferred or not preferred.
 10 Provide us with the information on the levels of
 11 discretion that the general -- the commanding general of
 12 the Pacific possesses, provide the necessary financial
 13 analysis to justify your alternatives before you declare a
 14 FONSI. Those are my recommendations to you, sir. Thank
 15 you very much for your time.
 16 Aloha to you all.
 17 FACILITATOR AMARAL: Mahalo.
 18 Just a reminder, for those of you who may want to
 19 testify but not do it here at the podium, a stenographer
 20 is provided in the room right behind us for you to give
 21 testimony on the record.
 22 The next speaker is Kauai Amsterdam, followed by
 23 Melva Aila.
 24 Aloha.
 25 MR. AMSTERDAM: Brothers and sisters of our

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T3-10
 Please see response to Comment T3-3.

Comments

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1 Hawaiian community, family and friends, our military
2 representatives, and all of our brothers and sisters
3 gathered here tonight, I say aloha ahiahi.

4 Tonight, as I speak relatively briefly,
5 acknowledging wonderful speakers that have gone before and
6 the very important cultural and practical, statistical
7 features and information that it has been presented to us,
8 may I also present what I have to say and call upon our
9 Father in heaven and our Lord Jesus as I speak tonight
10 that what I say will be in accordance with their spirit
11 and their mind and will. There are several issues that
12 are to be addressed, and I would like to speak to at least
13 two of these issues this night.

14 I represent, actually, the Interim Government of
15 the Kingdom of Hawaii. I've been acting as prime minister
16 of the Interim Government of the Kingdom of Hawaii, in
17 spite of the lack of funding and the disregard that has
18 been directed to us and other -- others in entities that
19 have been trying to advance our Kingdom of Hawaii by OHA
20 with their not recognizing and providing finances, and
21 also with the Akaka Bill that's coming up that disregards
22 our true jurisdiction as a government. I mention this,
23 but in spite of this, we go forth and with the positive
24 hope of become effective in advancing our government and
25 our jurisdiction, which cannot actually be achieved

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1 sufficiently with the Akaka Bill that is before us now,
2 because it is insufficient. It doesn't really look at
3 what we're doing in a serious way as an independent, as a
4 serious government. I look at it as another minority
5 program.

6 But notwithstanding, this issue of jurisdiction is
7 one of the important issues which I raise, because in
8 addressing this important issue, the military represents
9 the federal government, an accepted jurisdiction,
10 authority. And as we speak and as we address this issue,
11 it's important for us to do it also with acceptable
12 jurisdiction, and that is the government of the Kingdom of
13 Hawaii. So I raise this issue. I have been holding signs
14 in front of Washington Place in order to replace or
15 restore Washington Place to the Kingdom of Hawaii.

16 In addition to this, some of these issues, we -- I
17 have been addressing -- we have been addressing at
18 Washington Place, just to present this as information.
19 This jurisdiction is very important. Secondly is the
20 issue of Aloha. One of the signs that I hold up is this
21 issue right -- is this sign right here. "Advance aloha,
22 not militarism in Hawaii."

23 Now, why is this an issue? Well, this has been
24 addressed briefly by our speakers that have presented and
25 also actually by Bill Prescott, who actually spoke about

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1 the love of God, and the spirit that exists in Hawaii.
2 Hawaii is a unique and wonderful place. We all can agree
3 to that. And one of the unique and special aspects of
4 Hawaii is Aloha. On the licenses, you can see the Aloha
5 State. Now, this is at issue because there's an
6 ideological issue -- an ideological conflict that is going
7 on at the present time between aloha as a value and
8 militarism. Militarism with aloha is like placing a
9 brothel in a church. They don't go together.

10 When the soldiers are trained here in Hawaii and
11 go out and they kill, they get killed. If you're going to
12 kill someone, then you're going to get killed, too. And
13 that's what happens with an emphasis on our military
14 approach. Very effective, but also it has adverse
15 impacts.

16 I think there are three stages that we must
17 advance in facing this issue of aloha versus militarism.
18 First is education. That's what we're doing now. Next is
19 to speak out against what is going on, the militarism with
20 the practice -- practicing that's going on in Makua.
21 Number two, the Stryker forces that are being built up,
22 and the military that's being sent out here to fight in
23 foreign countries. Not only does that involve in deaths
24 of our soldiers, but it -- in retaliation. You can't
25 escape getting killed if you're going to kill. Neither

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1 can you escape retaliation if you're going to kill. Which
 2 means that Hawaii is being advanced as a military center
 3 of the Pacific.

4 As such, as it continues to implement war in
 5 foreign countries, it's subject to retaliation. This type
 6 of retaliation will be even worse than the attack of Pearl
 7 Harbor. Do we want that type of impact here in Hawaii?
 8 We don't.

T4-1

9 Therefore, I call upon our military people, our
 10 representatives, to stop this buildup, to stop this
 11 militarization. The outcome will not be a very pleasant
 12 one -- is not a very pleasant one, even as we look and see
 13 the impact of our military here in Hawaii. I'm not
 14 against the military. The military is appropriate under
 15 suitable conditions. But I am opposed, and I speak out
 16 against the military and the militarization in Hawaii
 17 because it's out of place.

18 You know, I had to smile a little, Colonel
 19 Killian, with your name, Colonel Killian. It's ironic.
 20 It's appropriate. You represent that aspect of the
 21 military. And you're very effective. But it's
 22 inappropriate here in Hawaii, and it must stop.

23 How's the time?

24 FACILITATOR AMARAL: I think you need to
 25 summarize.

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The Army thanks you for your comment and appreciates your participation in this public review process. Your comment has been considered and has been included as part of the administrative record for this process.

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1 MR. AMSTERDAM: Okay. So we're going to start to
2 summarize now.

3 Therefore, in the purpose of these training
4 exercises to train our soldiers to go out and to be
5 effective killers, that's what you do in the military.
6 It's in conflict with the concept of aloha. And it's
7 corrupting our islands. And therefore, I call upon the
8 military to consider this and to stop it.

9 Secondly, in order to deal with this community
10 engagement, if you're going to be effective in dealing
11 with this, this involves tourism. Tourism is an important
12 part of our community and our economy here. The tourist
13 industry must participate in this. Therefore, the tourist
14 industry must take an active part to advance aloha and not
15 militarism.

16 Therefore, this involves discouraging tourism if
17 you're going to -- if you're going to be serious about
18 aloha, then you must advance aloha and you must speak out
19 against the opposite, which is materialists, and advance
20 aloha through this tourist industry. Therefore, I direct
21 all our people who are actually opposing this to address
22 this issue of tourism.

23 Therefore, in conclusion, if we disregard such
24 factors of jurisdiction and the value of aloha, then we
25 are going to face adverse impacts. But if we advance

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T4-1