



**STATE OF HAWAI'I | KA MOKU'ĀINA 'O HAWAI'I**  
**DEPARTMENT OF TRANSPORTATION | KA 'OIHANA ALAKAU**  
869 PUNCHBOWL STREET  
HONOLULU, HAWAII 96813-5097

May 8, 2025

Board of Land and Natural Resources  
DLNR Boardroom, Kalanimoku Building  
1151 Punchbowl Street, 1<sup>st</sup> Floor  
Honolulu, Hawai'i 96813

Aloha Chairperson Chang and Members of the Board:

Subject: Agenda Item D-1; Decision Making Regarding the Acceptance of  
Non-Acceptance of the Final Environmental Impact Statement for the Army  
Training Land Retention at Pōhakuloa Training Area

The Hawai'i Department of Transportation (HDOT) appreciates the opportunity to offer testimony on the U.S. Army's Environmental Impact Statement (EIS). HDOT strongly supports the continued presence of the U.S. military in Hawai'i due to its critical role in national security and its substantial contributions to the state's economy. Beyond these strategic and economic impacts, HDOT has maintained a strong and ongoing partnership with the military to deliver infrastructure and innovation projects that serve both civilian and defense needs.

This includes collaboration on:

- The Daniel K. Inouye Highway (Saddle Road) extension, which enhances connectivity across Hawai'i Island for both military and civilian use;
- The Kulekole Pass emergency access route, a vital link that improves military mobility and provides an essential alternative route for local communities during emergencies;
- The Dillingham Airfield lease and water system upgrade, which supports continued aviation operations and ensures adequate infrastructure for future needs;
- The advancement of 3D printing technologies to support faster, more cost-effective infrastructure repairs and construction;
- Renewable energy initiatives, including projects that improve energy resilience and reduce dependence on fossil fuels across transportation and military facilities.

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While HDOT takes no position on whether the Board should approve the EIS at this time, we support a process that enables the State and the U.S. Army to work together to achieve outcomes that align with shared strategic priorities and community interests. Continued engagement and good-faith coordination are key to ensuring mutual success, while honoring our collective responsibility to environmental stewardship and public trust.

Thank you for the opportunity to testify.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ed Sniffen', with a small dot below the final letter.

EDWIN H. SNIFFEN  
Department of Transportation

May 8, 2025

Board of Land and Natural Resources (BLNR)

State of Hawai'i

Honolulu, Hawai'i

Subject: Strong Opposition to Item D-1

Me ka ha'aha'a,

As a kanaka maoli born and raised in North Kona I have been blessed to be raised to appreciate my 'āina hānau and to have learned from many kūpuna, including from the land itself. Throughout my decades of living and learning, Pōhakuloa has been a constant weight and reminder of the exact opposite example to my values of aloha and mālama 'āina. For this, and for additional reasons below, I **strongly oppose item D-1** and urge the board to **reject the FEIS**.

A considerable amount of water that reaches the shoreline in North Kona and South Kohala, where I was raised, originate from the saddle region between Mauna Kea and Mauna Loa. Water can take several generations to reach the shoreline from these mauka elevations. We therefore do not fully understand the actual extent of the damage from activities conducted under the current Pōhakuloa lease, and we may not for centuries. However, concerns detailed in multiple comments that address these and numerous other unknown and known impacts have been ignored and dismissed. This failure to adequately address and respond to comments is a **failure to satisfactorily meet criteria #3 as described in HAR 11-200.1-28(b)** and therefore should result in the **non-acceptance of this FEIS**.

In my work with various nonprofit organizations, I have worked hard to monitor myriads of species, habitats, and people to inform ourselves, DLNR, and the public regarding resource management. In Ka'ūpūlehu, we were successful in creating a marine reserve in 2016, which required justification by providing years of survey data. The lack of cultural and biological surveys for extractive and destructive activities only exemplifies the weakness of this FEIS.

In my professional career I have sought to pair restorative practices like coral restoration with thoughtful management that promotes biomass and diversity. In contrast, this FEIS fails to

address the impacts of desecrating sacred sites, mishandling of artifacts, and ecological harms of currently conducted activities in Pōhakuloa. Ending the lease and the immediate cease of activities would be far better for the land, the wildlife, and for Hawaiians. I strongly recommend the focus be returned to caring for the land, starting by cleaning up the mess this poorly executed 65-year lease has left.

Please do the right thing and **reject this final environmental impact statement for item D-1.**

‘O mākou nō me ka,  
Kaikea Nakachi

**From:** [Jasmine Alexander-Brookings](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Calling on BLNR to Reject the Army's FEIS: Unanswered Questions and Ongoing Harms at Pōhakuloa  
**Date:** Thursday, May 8, 2025 5:04:01 PM

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Aloha Members of the Board of Land and Natural Resources,

I am writing to express my strong opposition to the U.S. Army's proposed retention of leased lands at Pōhakuloa Training Area, and to urge the land board to reject the Army's EIS.

Pōhakuloa is not just a piece of land—it is a wahi pana, a sacred and storied place, home to irreplaceable Native Hawaiian cultural sites and some of Hawai'i's most endangered species. The Army has not demonstrated the capacity or will to serve as a proper steward of this land, and the FEIS fails to meaningfully address these concerns.

For example, the Army's actions have already resulted in the burning of nearly 20,000 acres, including designated critical habitat for native flora and fauna. This is unacceptable. Additionally, the ongoing use of live-fire and bombing in the impact area raises serious concerns about environmental contamination, safety, and long-term degradation of both the land and water.

Military training activities of this scale are simply not compatible with conservation, cultural integrity, or aloha 'āina. Enough is enough.

The EIS is insufficient and should be rejected on several grounds:

- Inadequate Environmental and Cultural Impact Analysis
- Lack of a sufficient plan to mitigate impacts to cultural and natural resources
- Concerns about depleted uranium on the site have gone unaddressed
- Military usage is incompatible with the conservation district designation
- The approval of the EIS ultimately conflicts with the BLNR's constitutional duty mālama 'āina

Far from providing a comprehensive reference, the Army's FEIS obstinately refuses to disclose the foreseeable harms their actions cause to Hawai'i's land, water, cultural resources, and its people. If the Army does not know, the Board should reject the FEIS and require the Army to conduct necessary investigations as part of this environmental review process and not relegate these important issues to some unaccounted-for future scenario.

I urge the members of the land board to respect the land, the culture, and the people of Hawai'i by rejecting the Army's FEIS for Pōhakuloa. It's time to return these lands and begin a real process of healing and restoration.

Sincerely,

Jasmine Alexander-Brookings

Kea'au, Puna, Hawai'i

*Jasmine Alexander-Brookings*

**From:** [Reza Anderson](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Pōhakuloa Testimony  
**Date:** Thursday, May 8, 2025 8:34:29 PM

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Aloha Mai Nei Kākou, My Name is Reza Anderson, A 14 year-old native Hawaiian student at a public charter school on O'ahu, Ka Waihona o Ka Na'auao and I do **not** want the lease renewed for Pōhakuloa and any other military base on our 'Āina.

I am writing you this letter to voice my concerns about Pōhakuloa and any other military base in our state. For over 80 years the military has been bombing our native land. Hurting our 'Āina, and not taking any accountability for their actions. They set off bombs, landmines, and haven't cleaned any of it up. They have done numerous things to **hurt** our 'Āina. Such as the oil spilling into our aquifers at red hill, not taking accountability and contaminating our water. The 'Āina is our ancestor, it's what we come from. What the military has been doing is harming our land. The military is **damaging** our 'Āina, the land they use for their bases is home to many native plants, and other ecosystems. By doing what they're doing, it's damaging the already endangered ecosystems. Hurting something that used to be self sustaining and would provide for our people.

For my future, and the future generations I do **not** want the lease renewed for Pōhakuloa. Some may see this place as just a piece of land but it's some much more. It's sacred, cultural, but the military have failed to treat it as such. It is being neglected and the military have failed to **Aloha 'Āina**. So again I do **NOT** want the military's lease for Pōhakuloa to continue on

Mahalo Nui Loa,  
Reza Anderson

**From:** [Wendy Arbeit](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] testimony for Agenda Item D-1  
**Date:** Thursday, May 8, 2025 4:55:10 PM

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*Aloha e Chair Chang and Members of the Board of Land and Natural Resources,*

*My name is Wendy Arbeit and I am from Honolulu. I respectfully urge you to do the right thing, and REJECT the clearly insufficient FEIS in Item D-1.*

*As the DLNR staff submittal makes clear, the FEIS fails to include needed biological and archaeological surveys, turns a blind eye to environmental impacts on federal lands, and downplays obviously significant threats to endangered native birds and wildlife - among many other issues. Accepting this dangerously deficient document may accordingly result in actions that threaten the permanent and inadvertent loss of native species, iwi kūpuna, and historic properties, among other deep and immeasurable harms to the public interest.*

*Too often we've seen the military tell us they will take care of our 'aina and clean up when done. And every single time they do not take the necessary care and when it comes time to leave and clean up remaining dangerous debris, they tell us it's too hard. I see no reason to expect them to do otherwise now. Require everything missing from the current deficient FEIS, which disregards clear Hawai'i law.*

*Accordingly, please REJECT the FEIS put forward in Agenda Item D-1.*

*Mahalo nui for the opportunity to testify.*

*Sincerely,*

*Wendy Arbeit*



**From:** [Nani and Shawn Arke](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Calling on BLNR to Reject the Army's FEIS: Unanswered Questions and Ongoing Harms at Pōhakuloa  
**Date:** Thursday, May 8, 2025 6:20:08 PM

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Aloha Members of the Board of Land and Natural Resources,

Please REJECT the Army's final Environmental Impact Statement (Agenda item D-1) for their proposal to continue to occupy 22,750 acres of State land at Pōhakuloa Training Area on Hawai'i island ("PTA") for an undetermined amount of time and conditions.

The Board should require the Army to provide the following information to assist with the Board's future decision making on any "real estate" proposal for PTA:

(1) Contamination from past, present, and future military actions.

a. The FEIS discloses significant lead and heavy metal contamination in PTA lands caused by live fire training. The Army's surface soil sampling detected the following in site soils: antimony, arsenic, cobalt, copper, iron, 1-methylnaphthalene, lead, manganese, naphthalene, selenium, silver, total petroleum hydrocarbons (TPH) as diesel range organics (DRO) and residual range organics, and zirconium. **V1 at 3-106**

b. The Army said there's no significant impact because low rainfall means the contamination won't spread much and the aquifer is deep. But the Army also concedes "shallower aquifers" were supposed to be tested, but weren't. It's unacceptable to claim there is no significant impact when areas that are more likely to be affected haven't been studied. **V1 at 3-193**

c. The EPA pointed out PTA soils are highly permeable and some compounds are highly soluble and won't be absorbed into the soil. The EPA asked for soil sampling analysis to show how the Army knows contamination hasn't spread. The Army responded it has not sampled all of its lands "to determine the presence or absence of munitions constituents." **V2 at D-210**

d. The FEIS does not address logical questions. How can existing and future contamination be removed? Will it be removed? How much has it

already spread into the soils, vegetation, and animal life? How much worse will it get with continued Army operations?

(2) Potential and means to restore these lands.

a. *Can* the Army clean up these lands? How? To what degree will the lands be remediated? What happens if they can't do it? In response to these questions, the Army refers to FEIS section 3.5.6, which says "cleanup and restoration . . . are not part of the Proposed Action" and "future cleanup and restoration requirements, standard processes, and associated cost are unknown." **V1 at 3-122**

b. The existing leases only require: "Weapons and shells used in connection with training activities are to be removed to the extent that technical and economic capability exists and provided that expenditure for removal would not exceed the fair market value of the land." **DEIS V.1 at 3-14** (emphasis added). Left unchallenged, the Army could simply say that it's too expensive to clean up and leave their mess behind – in fact, the inclusion of such language incentivizes them to do so.

c. The Army said it will comply with the "Comprehensive Environmental Response, Compensation, and Liability Act" (CERCLA), which requires remedial action concerning stored hazardous substances, "necessary to protect human health and the environment with respect to any such substance remaining on the property has been taken before" transferring the land back. However, the Army will not be clear on what this will mean, changing its stance on whether it stores hazardous substances on state lands (see #3c) and refusing to disclose any remediation actions.

(3) Army is withholding information on accumulating contamination.

a. In addition to the harm that has already occurred, how much worse will land contamination get with continued Army operations? What practices does the Army follow to prevent munitions contaminants from accumulating? The Army says it follows Standard Operating Procedures that are not available for public disclosure. **V2 at D-211** The EIS only gives a vague summary. **V2 at E-15 & E-16**

b. The EIS does not tell us how much contamination has accumulated, despite these procedures, and its impacts.

c. KAHEA asked about PTA's hazardous waste spill risks. The Army responded by: (1) telling KAHEA to file a Freedom of Information Act request for the information, (2) deleting the section describing hazardous waste storage on PTA State lands. Has hazardous waste spilled on state lands? Where are these records?

(4) Why can't the Army start cleaning up now?

a. The state Department of Health ("DOH") commented "There is no need for the Army to wait for the end of the lease period to address known and potential contamination under [federal laws]. Sites identified in the first and second Draft EIS documents . . . that are on state land and no longer within currently active range locations should begin the cleanup process as soon as possible." **V2 at D-223**

b. The Army flagged this comment as "not resolved".

(5) Have contaminants entered groundwater? How does the Army know either way?

a. The Army says there's no evidence that it has, but also "[g]roundwater quality data are limited"; researchers recommended sampling groundwater in shallower aquifers; and no one has done this sampling or analysis. **V1 at 3-193**

b. Without completing the research, how can the Army discount the spread of contaminants, especially highly soluble perchlorate, into these water bodies?

(6) Could contaminants have impacts on human health?

a. DHHL "feel[s] strongly" that the Army should do long-term air-quality and water-table testing at PTA. **V2 at D-220** The Army declined, pointing to a one-year air quality monitoring program in 2007 that did not find levels outside standards and that the aquifer is very deep. However, the Army admits there is a shallow aquifer that has not been tested despite recommendations to do so.

b. The FEIS is inconsistent on this issue. It discloses there are

“potentially complete exposure pathways for human receptors from contaminants within the State-owned land surface soils” but because the same is not true for water and sediment, contaminants are “unlikely to impact public health.” **V1 at 3-107**

c. The FEIS acknowledges “airborne concentrations of lead on [Department of Defense] firing ranges have exceeded the Occupational Safety and Health Administration permissible exposure limit for some job duties, which might lead to increased blood lead levels”. **V1 at 3-117**  
Yet there is no mitigation or study proposed to prevent this from happening at PTA.

(7) Cumulative impacts of the entirety of PTA

a. The FEIS only considers impacts of continuing military training on 22,750 acres of State lands, even though these training operations are inextricable from the entire 132,000 acres of PTA. What are the true cumulative impacts of these operations? How does PTA as a whole impact Hawai‘i’s economy? Housing availability? Native species supposedly “habituated” to the sound of military training and potentially exposed to munitions contaminants?

b. What alternatives are foreclosed by using these lands and resources for military training? Land Board staff also point out this is missing from the FEIS **Submittal at 23**

(8) Fire impacts are worse than disclosed.

a. Between 1975 and August 2024, there were 1,261 fires of which 1007 fires were due to military activities. **V1 at 3-283**. Pōhakuloa is a TERRIBLE, fire prone place to do military training. Yet, the Army rejects proposals to relocate training - only mitigation for monitoring fires and inhibiting invasive grass growth.

b. The Department of Interior pointed out the “entire population of Palila are restricted to the west slope of Mauna Kea and are extremely vulnerable to an extinction event such as a wildland fire, as happened in 2021.” **V2 at D-214**

(9) No disclosure of greenhouse gases

- a. The EIS discloses the Army does not have data on its greenhouse gas emissions (“GHGs”) for activities on State lands. Why not? The U.S. military reportedly produces more GHGs than the entire nations of Portugal or Denmark,[1] but does not track its own emissions?
- b. At the same time, the FEIS concludes the Army’s “generation of GHGs has not meaningfully contributed to the impacts of global or local climate change.” **V1 at 4-16** How can it reach this conclusion if it does not have data?

(10) Existing mitigation proven insufficient by ongoing impacts.

- a. The FEIS concedes ongoing impacts from past PTA operations - which the Army proposes to continue indefinitely. **V1 at 4-11 - 4-25**
- b. And yet, proposed new mitigation solely consists in studies, reporting, monitoring, and potentially deploying a biological control directed at reducing wildfires and to formalize an access agreement with Native Hawaiian groups and individuals. **V1 at 3-220** As noted by DLNR staff, the Army should have done these studies as part of this EIS - not afterwards.
- c. For all other impacts, the Army will just continue existing mitigation measures. But these are not working because impacts continue to accrue, particularly to cultural resources as pointed out by Land Board staff who disagree that Army cultural resource programs are protecting these resources. **Submittal at 23**
- d. The FEIS excluded many lands from its survey of historic properties, including iwi kupuna, on state lands. **V1 at Fig. 3-8** How can the Army assess impacts to cultural resources if it does not even know if they are there?

Far from providing a comprehensive reference, the Army’s FEIS obstinately refuses to disclose the foreseeable harms their actions cause to Hawai’i’s land, water, cultural resources, and its people. If the Army does not know, the Board should reject the FEIS and require the Army to conduct necessary investigations as part of this environmental review process and not relegate these important issues to some unaccounted-for future scenario.

The desecration of Hawaiian Lands has gone on long enough. It is time to hold the military accountable for the years of destruction and ensure they CLEAN UP THEIR MESS and restore the `aina. The military has and continues to disregard the Native Hawaiian community and all residents of Hawai`i, as they hide behind their vague SOP's. Enough is enough.

Mahalo for considering my testimony.

v/r

Nani Smith-Arke, Native Hawaiian resident

**From:** [Alexis B](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Calling on BLNR to Reject the Army's FEIS: Unanswered Questions and Ongoing Harms at Pōhakuloa  
**Date:** Thursday, May 8, 2025 5:51:41 PM

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Hi Members of the Board of Land and Natural Resources,

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b. The Army said there's no significant impact because low rainfall means the contamination won't spread much and the aquifer is deep. But the Army also concedes "shallower aquifers" were supposed to be tested, but weren't. It's unacceptable to claim there is no significant impact when areas that are more likely to be affected haven't been studied. **V1 at 3-193**

c. The EPA pointed out PTA soils are highly permeable and some compounds are highly soluble and won't be absorbed into the soil. The EPA asked for soil sampling analysis to show how the Army knows contamination hasn't spread. The Army responded it has not sampled all of its lands "to determine the presence or absence of munitions constituents." **V2 at D-210**

d. The FEIS does not address logical questions. How can existing and future contamination be removed? Will it be removed? How much has it already spread into the soils, vegetation, and animal life? How much worse will it get with continued Army operations?

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c. The Army said it will comply with the “Comprehensive Environmental Response, Compensation, and Liability Act” (CERCLA), which requires remedial action concerning stored hazardous substances, “necessary to protect human health and the environment with respect to any such substance remaining on the property has been taken before” transferring the land back. However, the Army will not be clear on what this will mean, changing its stance on whether it stores hazardous substances on state lands (see #3c) and refusing to disclose any remediation actions.

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b. The Army flagged this comment as "not resolved".

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b. Without completing the research, how can the Army discount the spread of contaminants, especially highly soluble perchlorate, into these water bodies?

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a. DHHL "feel[s] strongly" that the Army should do long-term air-quality and water-table testing at PTA. **V2 at D-220** The Army declined, pointing to a one-year air quality monitoring program in 2007 that did not find levels outside standards and that the aquifer is very deep. However, the Army admits there is a shallow aquifer that has not been tested despite recommendations to do so.

b. The FEIS is inconsistent on this issue. It discloses there are "potentially complete exposure pathways for human receptors from contaminants within the State-owned land surface soils" but because the same is not true for water and sediment, contaminants are "unlikely to impact public health." **V1 at 3-107**

c. The FEIS acknowledges "airborne concentrations of lead on [Department of Defense] firing ranges have exceeded the Occupational Safety and Health Administration permissible exposure limit for some job duties, which might lead to increased blood lead levels". **V1 at 3-117** Yet there is no mitigation or study proposed to prevent this from happening at PTA.

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b. What alternatives are foreclosed by using these lands and resources for military training? Land Board staff also point out this is missing from the FEIS  
**Submittal at 23**

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b. The Department of Interior pointed out the "entire population of Palila are restricted to the west slope of Mauna Kea and are extremely vulnerable to an extinction event such as a wildland fire, as happened in 2021." **V2 at D-214**

(9) No disclosure of greenhouse gases

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b. At the same time, the FEIS concludes the Army's "generation of GHGs has not meaningfully contributed to the impacts of global or local climate change." **V1 at 4-16** How can it reach this conclusion if it does not have data?

(10) Existing mitigation proven insufficient by ongoing impacts.

a. The FEIS concedes ongoing impacts from past PTA operations - which the Army proposes to continue indefinitely. **V1 at 4-11 - 4-25**

b. And yet, proposed new mitigation solely consists in studies, reporting, monitoring, and potentially deploying a biological control directed at reducing wildfires and to formalize an access agreement with Native Hawaiian groups and individuals. **V1 at 3-220** As noted by DLNR staff, the Army should have done these studies as part of this EIS - not afterwards.

c. For all other impacts, the Army will just continue existing mitigation measures. But these are not working because impacts continue to accrue, particularly to cultural resources as pointed out by Land Board staff who disagree that Army cultural resource programs are protecting these resources.

**Submittal at 23**

d. The FEIS excluded many lands from its survey of historic properties, including iwi kupuna, on state lands. **V1 at Fig. 3-8** How can the Army assess impacts to cultural resources if it does not even know if they are there?

Far from providing a comprehensive reference, the Army's FEIS obstinately refuses to disclose the foreseeable harms their actions cause to Hawai'i's land, water, cultural resources, and its people. If the Army does not know, the Board should reject the FEIS and require the Army to conduct necessary investigations as part of this environmental review process and not relegate these important issues to some unaccounted-for future scenario.

Thank you for considering my testimony.

Alexis Basista

**From:** [Angelo Ian Bella](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] REJECT the Army's Final EIS  
**Date:** Thursday, May 8, 2025 5:19:07 PM

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*Aloha e Chair Chang and Members of the Board of Land and Natural Resources,  
My name is Angelo Ian Bella and I respectfully urge you to do the right thing, and reject the  
clearly insufficient FEIS in Item D-1.*

*The public trust doctrine, embodied in our state constitution, requires the BLNR to exercise  
due diligence and prudence in managing our natural and cultural resources, and in  
protecting the interests of the present and future beneficiaries of the trust. Without cultural  
surveys, biological opinions, or a good faith assessment of alternative beneficial uses of the  
long-abused 'āina at Pōhakuloa - all things missing from the FEIS - the BLNR simply does  
not have the information it needs to even begin upholding these public trust duties. I urge  
the BLNR to reject this sorely deficient FEIS, as an affront to its responsibilities under our  
constitution and the public trust.*

*Accordingly, please REJECT the FEIS put forward in Agenda Item D-1.  
Mahalo nui for the opportunity to testify.*

*Sincerely,*  
Angelo Ian Bella

**From:** [Antoinette-Marie Botelho](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Pōhakuloa  
**Date:** Thursday, May 8, 2025 7:00:51 PM

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BLNR must follow Hawai‘i law and uphold the public trust. The FEIS lacks required surveys and cultural consultation. Agenda Item D-1 should be denied.

Much mahalos,  
Antoinette-Marie Botelho

**From:** [Katherine Brooks](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Testimony for Agenda Item D-1  
**Date:** Thursday, May 8, 2025 7:15:11 PM

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Aloha Chair Case and Members of the Board,

I strongly oppose the U.S. Army's Final Environmental Impact Statement for Pōhakuloa.

For 60 years, the Army has caused environmental and cultural harm — wildfires, depleted uranium, and the destruction of irreplaceable 'āina — and paid just \$1 for the land. This EIS does not address these harms or offer a real plan for cleanup. Since the army cannot restore the land, they should not be allowed to stay on it. Please reject the EIS.

- The Army paid \$1 total to lease this land. Fair market value for the past 60 years is estimated at \$36 Million. \$400 Million was allocated to clean up Kaho'olawe in 1993 and much of that island is still in accessible due to Unexploded Ordnance (UXO). How much will it cost to clean up the 20,000+ acres of Pōhakuloa?
- 1,000+ wildfires, contamination from depleted uranium, and unexploded ordnance make parts of this land unsafe indefinitely.
- The EIS excludes burial objects and cultural information that should have been included.
- The State of Hawai'i has a legal duty to preserve and protect trust lands (Kahaulelio v. DLNR, 2019).
- Keiki are learning about this and asking us to model kuleana.
- Pōhakuloa is not alone — this decision sets a precedent for other leases expiring in 2029.

Mahalo,  
Katherine Brooks  
Born and raised Maui, Ha'ikū  
Mother, daughter, sister and aunt of Kanaka 'Ōiwi

**From:** [PAMELA BURRELL](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Protect the land and natural resources.  
**Date:** Thursday, May 8, 2025 9:58:50 PM

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Aloha Land Board Members:

I am writing to **urge the land board to reject the Army's EIS.**

Pōhakuloa is not just a piece of land—it is a **wahi pana**, a sacred and storied place, home to irreplaceable **Native Hawaiian cultural sites** and some of Hawai'i's most **endangered species**. The Army has not demonstrated the capacity or will to serve as a proper steward of this land, and the FEIS fails to meaningfully address these concerns.

Stop. Please PROTECT the land and natural Resources . It is your job!

Regards,

Pamela Burrell, Kilauea Kaua'i

**From:** [Vanessa Cabilan](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Testimony for Agenda Item D-1  
**Date:** Thursday, May 8, 2025 5:12:32 PM

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Aloha e Chair Chang and Members of the Board of Land and Natural Resources

My name is Vanessa Cabilan and I am from Aiea, Hawai'i. I respectfully urge you to do the right thing, and **REJECT** the clearly insufficient FEIS in Item D-1.

The public trust doctrine, embodied in our state constitution, requires the BLNR to exercise due diligence and prudence in managing our natural and cultural resources, and in protecting the interests of the present and future beneficiaries of the trust. Without cultural surveys, biological opinions, or a good faith assessment of alternative beneficial uses of the long-abused 'āina at Pōhakuloa - all things missing from the FEIS - the BLNR simply does not have the information it needs to even begin upholding these public trust duties. I urge the BLNR to reject this sorely deficient FEIS, as an affront to its responsibilities under our constitution and the public trust.

Accordingly, please **REJECT** the FEIS put forward in Agenda Item D-1.

Mahalo nui for the opportunity to testify.

Sincerely,

**Vanessa Cabilan** *MS, LMHC*

cell: (808) 489 2623

email: [vanessacabilan@gmail.com](mailto:vanessacabilan@gmail.com)



**From:** [samcampos.info@gmail.com](mailto:samcampos.info@gmail.com)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Testimony Opposing Agenda Item Regarding Final EIS for Pōhakuloa Training Area – May 9, 2025  
**Date:** Thursday, May 8, 2025 8:40:39 PM

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Aloha Members of the Board of Land and Natural Resources,

My name is Samantha Campos, and I am writing in strong opposition to the acceptance of the Final Environmental Impact Statement (EIS) for the Pōhakuloa Training Area and the proposed renewal of the U.S. Army's lease.

Pōhakuloa is a conservation district, a wahi pana, and home to one of the last remaining sub-alpine tropical dryland ecosystems on Earth. It is also a sacred cultural landscape, holding spiritual and historical significance for Kānaka 'Ōiwi. For over 60 years, the military has desecrated this 'āina—bombing it, contaminating it with depleted uranium, sparking wildfires, and violating the terms of the original \$1 lease granted in 1964.

The Final EIS is grossly dishonest. It fails to fully acknowledge decades of environmental destruction, cultural harm, and community opposition. It assumes future compliance without reckoning with the military's historical neglect and repeated disregard for both state law and the county resolutions passed in 2008 demanding a halt to live fire and cleanup of existing contamination.

The courts have already ruled that the State has failed to care for this land. Approving this EIS and renewing the lease without proper accountability would not only violate

your trust responsibilities, it would enable further desecration of a place that should never have been used for war training in the first place.

I urge the BLNR to reject the Final EIS and deny the lease renewal. Pōhakuloa is not a bombing range. It is sacred, and it is time for it to be healed, not further destroyed.

Please stand for the 'āina. Reject the Final EIS.

Mahalo for your time and consideration,  
Samantha Campos

Aiea, HI

**From:** [Juliann C.](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Testimony Opposing the Final Environmental Impact Statement (EIS) for U.S. Military Use of Pōhakuloa Training Area  
**Date:** Thursday, May 8, 2025 5:37:16 PM

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Aloha e Chair Chang and Esteemed Committee Members,

I write today as a concerned citizen of the United States, a born and raised resident of Oahu, and steward of this ‘āina to urge your firm rejection of the Final Environmental Impact Statement (EIS) submitted in support of continued military use of the Pōhakuloa Training Area (PTA).

Pōhakuloa is not merely land. It is sacred—a wahi pana rooted in ancestral knowledge, ceremony, and responsibility. For over 70 years, this sacred landscape has endured relentless degradation under U.S. military occupation. The submission of this EIS represents not responsible stewardship, but a continuation of the desecration and dispossession of our homeland.

I offer this testimony on behalf of our lāhui to raise four urgent and interconnected concerns:

#### 1. Continued Desecration of Sacred Sites

Pōhakuloa is rich in cultural and spiritual significance, housing ancient trails, heiau, and iwi kūpuna. Military activity has repeatedly bombed and bulldozed these sacred spaces, despite legal and ethical protections. This is a violation not only of Native Hawaiian religious and cultural rights but of the DLNR’s kuleana to mālama ‘āina.

#### 2. Environmental Irreversibility

The EIS gravely underestimates the environmental damage caused by decades of military activity. The use of live ammunition, chemical contaminants, and heavy artillery has poisoned soil, threatened endangered species, and disrupted fragile ecosystems. No mitigation plan within the EIS adequately restores what has already been lost—let alone justifies further occupation.

#### 3. Illegitimacy of U.S. Military Occupation

The U.S. military presence at Pōhakuloa stems from an illegal overthrow and unlawful annexation of the Hawaiian Kingdom. Therefore, its continued use of Hawaiian lands for destructive military purposes is a direct violation of international law, self-determination, and the political rights of Kanaka Maoli.

#### 4. Failure to Uphold the Public Trust Doctrine

As trustees of the land under Article XI, Section 1 of the Hawai‘i State Constitution, DLNR is legally bound to conserve and protect Hawai‘i’s natural and cultural resources for present and future generations. Approving this EIS would be a failure of that trust—permitting further destruction rather than conservation.

In the face of pressure from federal agencies, I implore this committee to stand on the side of justice, pono, and true aloha ‘āina. The legacy you leave will be remembered not by your deference to power, but by your courage to protect the most sacred and irreplaceable parts of our homeland.

The time to act is now. Reject this EIS. Return the land to its rightful caretakers. And let the healing of Pōhakuloa begin.

Me ka ‘oia‘i‘o,  
Juliann Chen  
Kaneohe, Oahu

**From:** [Holly Chong-Gangl](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Testimony: We Demand BLNR to Reject the U.S. Army's Pōhakuloa FEIS  
**Date:** Thursday, May 8, 2025 6:56:34 PM

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Aloha Chair Case and Members of the Board of Land and Natural Resources,

I am writing to urge you to reject the Final Environmental Impact Statement (FEIS) submitted by the U.S. Army in support of its proposal to continue occupying 22,750 acres of public trust lands at the Pōhakuloa Training Area (PTA) on Hawai‘i Island.

This FEIS fails to meet the basic requirements of Hawai‘i's environmental review laws and does not provide the public or this Board with the information needed to make an informed, lawful decision. Rather than address valid concerns raised during the draft process, the Army's final document raises more red flags, avoids key questions, and withholds critical data.

Key issues that warrant immediate rejection include:

- Confirmed toxic contamination of state lands from lead, arsenic, petroleum compounds, and other munitions constituents—with no clear plan or commitment for cleanup.
- A failure to conduct comprehensive soil and groundwater testing, despite known risks of contamination spreading through highly permeable soils and shallow aquifers, polluting ecosystems and drinking water.
- Lack of transparency, as the Army refuses to disclose Standard Operating Procedures it claims limit contamination. It is a complete injustice that they are able to withhold vital information that could very well (and has) pose huge risks to our health, and furthermore failure to assess human health risks, especially for nearby communities and cultural practitioners with potential exposure to contaminated air, soil, and water.
- No cumulative impact analysis of the full 132,000-acre scope of environmental review operation, which artificially narrows the scope of environmental review.
- Acknowledged ongoing fire risks, with over 1,000 fires caused by military activities since 1975, threatening fragile species like the Palila.
- Incomplete greenhouse gas data, while making unsupported claims about climate impacts.

This FEIS does not meet the legal or ethical standards for protecting Hawai‘i's lands, waters, ecosystems, or communities. It would be irresponsible for the Board to accept a document that sidesteps so many critical issues and puts future generations and the land at risk.

I ask you to reject this FEIS and require the Army to conduct a full and lawful environmental review, with transparent data, community accountability, and a credible, overseen cleanup and mitigation plan.

Thank you for your time,

Holly Chong-Gangl

Nu'uanu, O'ahu

[ganglchong500@gmail.com](mailto:ganglchong500@gmail.com)

**From:** [Jhensen Claonan](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Pōhakuloa Testimony  
**Date:** Thursday, May 8, 2025 6:57:46 PM

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Aloha, My name is Jhensen-Jacob Eolanapo'eikaikawaleno Claonan Yiu-Lin, I am a 14 year old student that goes to Ka Waihona O Ka Na'auao in Nānākuli O'ahu.

I have wrote this in regards to NOT renew the lease of the U.S bombings on Pōhakuloa, Hawai'i. The bombings that have been happening for over 75 years has to stop. It makes craters in our 'Āina that can stop waterlines, and/or make our water filthy. It also destroys some of the islands acres and it can become to no good use. The Hawaiians need and want our beautiful island back, EVEN IF WE WORK HARD TO RESTORE IT. The bones of our ancestors were found and put on SHELVES to "take care" of later. It's very disappointing having to write this because you obviously don't care of the people's culture. SAME THING YOU DID TO NATIVE AMERICANS, IS THE SAME THING YOU DID TO US FOR MORE THAN 100 YEARS AGO. You tried to take away our culture, our rights, and our homelands. I will protest till the day I die to stop the bombing and rights for Hawai'i.

Mahalo.

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# Testimony Regarding the State of Hawai‘i’s Fiduciary Failure at Pōhakuloa

Presented to [Board of Land and Natural Resources]

By Joyclynn Costa

Date: May 8, 2025

## Introduction

The State of Hawai‘i, through the Board of Land and Natural Resources (BLNR), has failed in its **fiduciary duty** to protect public trust resources by permitting continued military activity at Pōhakuloa. This failure has resulted in environmental degradation, the potential contamination of groundwater, and the disregard of constitutional obligations under **Article XII, Section 7** of the Hawai‘i State Constitution, which mandates the protection of Native Hawaiian traditional and customary rights.

## Environmental Concerns & Groundwater Contamination

Pōhakuloa has endured over **70 years of military live-fire exercises**, leading to continuous fracturing of its lava fields. These fractures increase permeability, allowing contaminants—such as **heavy metals, explosives residues, and hazardous chemicals**—to seep into Hawai‘i’s **vital groundwater system**. Some have argued that the **low rainfall** in the area minimizes contamination risk, yet this perspective fails to account for the fact that **sporadic yet intense rain events can rapidly transport pollutants deeper into the aquifer**. The absence of definitive data on contamination does not equate to an absence of harm. Scientific uncertainty cannot be mistaken for evidence that no effect exists.

## The State’s Fiduciary Breach

While the military carries out exercises at Pōhakuloa, it is the **BLNR that holds the authority to issue leases**, granting permission for continued operations despite environmental concerns. Fiduciary duty demands that the State **do no harm** in its stewardship of public trust resources. **By knowingly approving leases that facilitate environmental destruction, the State has failed in its legal and moral responsibility**. Furthermore, under **Article XII, Section 7**, the State must ensure that traditional and customary Native Hawaiian practices remain protected. The contamination of land and water at Pōhakuloa jeopardizes these rights, violating constitutional obligations.

## Legal Precedent & Accountability

Recent cases, such as **Held v. Montana**, affirm that governments can be held legally accountable for environmental degradation that threatens public trust resources. Hawai‘i’s leadership must not wait for litigation to recognize its failures. If it is proven that the State has neglected its duty, the consequences could include:



- **Legal liability**, including lawsuits for negligence or fiduciary breach, potentially leading to **court-ordered remediation and fines**.
- **Federal intervention**, where agencies such as the **EPA** enforce cleanup measures and stricter oversight.
- **Public trust violations**, strengthening the legal basis for future challenges against environmental mismanagement.
- **Political fallout**, with officials facing public scrutiny for failing to uphold their responsibilities.

## Proposed Remedy

To **address and prevent further harm**, the State must take **immediate action** to fulfill its fiduciary duty:

1. **Independent Environmental Assessment** – Commission a **third-party study** to determine the extent of groundwater contamination and assess the long-term impact on Hawai‘i’s water resources.
2. **Suspension of Military Lease Renewals** – Halt **any further lease approvals** for Pōhakuloa until remediation measures are implemented and environmental risks are fully understood.
3. **Groundwater Protection Plan** – Establish **mandatory water monitoring**, enforce contamination mitigation, and require accountability from leaseholders.
4. **Restoration & Cleanup** – Hold the State and military **financially accountable** for restoring impacted land and water systems, prioritizing remediation funding.
5. **Legal Enforcement of Article XII, Section 7** – Ensure **Native Hawaiian voices** are integrated into decision-making processes to uphold traditional and customary rights tied to the land.

## Conclusion

The continued military presence at Pōhakuloa is not solely the fault of the armed forces—it is fundamentally a failure of those entrusted with regulatory power. The BLNR has repeatedly approved leases that endanger Hawai‘i’s land, water, and cultural heritage, ignoring its duty to **do no harm**. Immediate corrective measures must be implemented to **prevent irreparable harm** to our water resources, uphold fiduciary responsibilities, and safeguard constitutional protections for future generations.

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**From:** [Isaiah Crabtree](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Pohakuloa Testimony  
**Date:** Thursday, May 8, 2025 8:40:58 PM

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To:

Chair Dawn Chang

Department of Land and Natural Resources & Honorable Committee Members

Subject: Testimony Opposing the Final Environmental Impact Statement (EIS) for U.S. Military Use of Pōhakuloa Training Area

Aloha e Chair Chang and Esteemed Committee Members,

I write today as a concerned Kanaka Maoli and steward of this

'aina to urge your firm rejection of the Final Environmental Impact Statement (EIS) submitted in support of continued military use of the Pōhakuloa Training Area (PTA).

Pohakuloa is not merely land. It is sacred—a wahi pana rooted in ancestral knowledge, ceremony, and responsibility.

For over 70 years, this sacred landscape has endured relentless degradation under U.S. military occupation. The submission of this EIS represents not responsible stewardship, but a continuation of the desecration and dispossession of our homeland.

I offer this testimony on behalf of our lāhui to raise four urgent and interconnected concerns:

1. Continued Desecration of Sacred Sites

Pōhakuloa is rich in cultural and spiritual significance, housing ancient trails, heiau, and iwi kupuna. Military activity has repeatedly bombed and bulldozed these sacred spaces, despite legal and ethical protections. This is a violation not only of Native Hawaiian religious and cultural rights but of the DLNR's kuleana to mālama 'āina.

2. Environmental Irreversibility

The EIS gravely underestimates the environmental damage caused by decades of military activity. The use of live ammunition, chemical contaminants, and heavy artillery has poisoned soil, threatened endangered species, and disrupted fragile ecosystems. No mitigation plan within the EIS adequately restores what has already been lost—let alone justifies further occupation.

3. Illegitimacy of U.S. Military Occupation

The U.S. military presence at Pōhakuloa stems from an illegal overthrow and unlawful annexation of the Hawaiian Kingdom.

Therefore, its continued use of Hawaiian lands for destructive military purposes is a direct violation of international law, self-determination, and the political rights of Kanaka Maoli.

4. Failure to Uphold the Public Trust Doctrine

As trustees of the land under Article XI, Section 1 of the Hawaii State Constitution, DLNR is legally bound to conserve and protect Hawaii's natural and cultural resources for present and future generations. Approving this EIS would be a failure of that trust-permitting further destruction rather than conservation.

In the face of pressure from federal agencies, I implore this committee to stand on the side of justice, pono, and true aloha

'aina. The legacy you leave will be remembered not by your deference to power, but by your courage to protect the most sacred and irreplaceable parts of our homeland.

The time to act is now. Reject this EIS. Return the land to its rightful caretakers. And let the healing of Pohakuloa begin.

Also, our last mamane forest here on the island of Hawaii is located Pohakuloa and the military and America needs to leave the kingdom of Hawaii

Me ka 'oia'i'o,  
Isaiah c.k. crabtree  
[hilo,hawaii]  
[HiloBarber]

[(808)938-5606]

Sent from my iPhone

**From:** [kurtdlc@yahoo.com](mailto:kurtdlc@yahoo.com)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Pohakuloa Lease Extension  
**Date:** Thursday, May 8, 2025 9:11:56 PM

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Aloha Board members,

My name is Kurt Dela Cruz and I stand in opposition to the lease extension of Pohakuloa to the U.S. Army. The precious ecosystem many of us call home represents such a small portion of land mass. This precious few islands have been greatly compromised by the continued bombing and live fire training in places like Kaho'olawe and the much larger Pohakuloa. Please think of the people of these islands and reject the renewal of any lease of Pohakuloa.

Respectfully,  
Kurt Dela Cruz

[Sent from Yahoo Mail for iPhone](#)

**From:** [Elsa Dedman](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Testimony for Agenda Item D-1"  
**Date:** Thursday, May 8, 2025 4:48:12 PM

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*Aloha e Chair Chang and Members of the Board of Land and Natural Resources,*

*My name is Elsa Kalanikauleleiaiwi Dedman and I respectfully urge you to do the right thing and reject the clearly insufficient FEIS in Item D-1.*

*This FEIS disregards clear Hawai'i law, as even DLNR staff repeatedly point out in the staff submittal. The Army is not above the law, and yet they refuse to address basic legal requirements, such as analyzing the environmental and cultural impacts that will take place on federal lands, and completing basic surveys so that a true objective assessment can be made about the impacts of proposed military "retention" of 'āina in Pōhakuloa.*

*Please uphold the law, and your mission, and reject this incomplete and unlawful document.*

*Accordingly, I urge you to please REJECT the FEIS put forward in Agenda Item D-1.*

*Mahalo nui for the opportunity to testify.*

Respectfully Submitted,  
Elsa Kalanikauleleiaiwi Dedman  
P.O. Box 230  
Naalehu, Hawaii 96772  
Phone:832-230-7673

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**From:** [Trance Ellefson](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Testimony Opposing Agenda Item Regarding Final EIS For Pōhakuloa Training Area - May 9, 2025  
**Date:** Thursday, May 8, 2025 7:36:41 PM

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Aloha, Members of the BLNR,

My name is Trance Ellefson, and I am writing to strongly oppose the acceptance of the Final Environmental Impact Statement (EIS) for the Pōhakuloa Training Area and the Proposed renewal of the U.S. Army's leases.

I understand this testimony may look like the many other copy-and-pasted ones, but I can assure you that is not true. The Final EIS is frankly disgusting and dishonest, leaving out important information about significant artifacts that were found buried in the ground, not even acknowledging the opposition of the community, and the way that the Army has neglected the 'āina for over 65 years. It's not as simple as the Army packing their bags and leaving, but you have to realize that, if the Army keeps training and using land for the same purpose as Pōhakuloa, then we are heading to another version of Kaho'olawe. An inhabitable island that was once booming with life and significance, that turned into a bombed wasteland because the Military got their grubby little hands on it.

Not to mention the contamination of uranium into the ground, constant wildfires, constant bombing, and live fire training with unexploded ordnances everywhere, just like in Mākua Valley in O'ahu. The Military occupation of Hawai'i has done more harm than good. People say that we gain protection from foreign nations, but at what cost? Destruction of our Land and Natural Resources?

I urge that the BLNR come to their senses and reject the Final EIS and deny the proposed Military Lease Renewal. How many times will we force people out of sacred land for the sake of training and destruction?

Mālama the land as if it were your family. Reject the Final EIS.

Mahalo nui for your time and consideration,  
Trance Ellefson  
Waianae, Hawai'i, O'ahu

**From:** [McKenjay-Jacob Fuata](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Pōhakuloa Testimony  
**Date:** Thursday, May 8, 2025 7:01:54 PM

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Aloha, my name is Kaman'opono Fuata. I'm a 15 year old Hawaiian Student and I go to Ka Waihona O Ka Na'auao PCS on the island of O'ahu. I do not want the lease renewed for Pohakuloa or any other base on our 'āina. There are a few reasons I would like to list but the main reason is because, The military does not follow the state motto which is "Ua Mau ke Ea o ka 'Āina i ka Pono". This was said by Kamehameha III. This motto serves as a reminder for us to keep the balance between kanaka and the 'āina. The destruction of our lands such as Makua, Pōhakuloa as well as many more has devastated our Native Hawaiians for generations. We understand that these bases are used for target practice but we urge the military to find another place to use on their own land. Hawai'i may be a state of the US now, but as Kanaka we will always know it as the **Sovereign Kingdom of Hawai'i**. Desecration of our native lands has to stop so that our generations to come can carry on the Ike and the Mana of our Kupuna and their lands. Onipa'a Kākou!

**From:** [Susanne L Fuller](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Please Protect Pōhakuloa  
**Date:** Thursday, May 8, 2025 4:48:59 PM

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Aloha Land Board Members,

As a Hula, Oli and Hawai'i Life Ways practitioner, I am writing to express my strong opposition to the U.S. Army's proposed retention of leased lands at Pōhakuloa Training Area, and to urge the land board to reject the Army's EIS.

Pōhakuloa is not just a piece of land—it is a wahi pana, a sacred and storied place, home to irreplaceable Native Hawaiian cultural sites and some of Hawai'i's most endangered species. The Army has not demonstrated the capacity or will to serve as a proper steward of this land, and the FEIS fails to meaningfully address these concerns.

For example, the Army's actions have already resulted in the burning of nearly 20,000 acres, including designated critical habitat for native flora and fauna. This is unacceptable. Additionally, the ongoing use of live-fire and bombing in the impact area raises serious concerns about environmental contamination, safety, and long-term degradation of both the land and water.

Military training activities of this scale are simply not compatible with **conservation, cultural integrity, or aloha 'āina**.

**Enough is enough.**

The EIS is insufficient and should be rejected on several grounds:

- 1) Inadequate Environmental and Cultural Impact Analysis;
- 2) Lack of a sufficient plan to mitigate impacts to cultural and natural resources;
- 3) Concerns about depleted uranium on the site have gone unaddressed;
- 4) Military usage is incompatible with the conservation district designation; and
- 5) The approval of the EIS ultimately conflicts with the BLNR's constitutional duty mālama 'āina.



I urge the members of the land board to respect the land, the culture, and the people of Hawai'i by rejecting the Army's FEIS for Pōhakuloa. It's time to return these lands and begin a real process of healing and restoration.

Sincerely,  
Susanne L Fuller  
Portland, Oregon

**From:** [kamanao@uknowdakine.com](mailto:kamanao@uknowdakine.com)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Calling on BLNR to Reject the Army's FEIS: Unanswered Questions and Ongoing Harms at Pōhakuloa  
**Date:** Thursday, May 8, 2025 6:39:40 PM

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Aloha Members of the Board of Land and Natural Resources,

Please REJECT the Army's final Environmental Impact Statement (Agenda item D-1) for their proposal to continue to occupy 22,750 acres of State land at Pōhakuloa Training Area on Hawai'i island ("PTA") for an undetermined amount of time and conditions.

The Board should require the Army to provide the following information to assist with the Board's future decision making on any "real estate" proposal for PTA:

(1) Contamination from past, present, and future military actions.

a. The FEIS discloses significant lead and heavy metal contamination in PTA lands caused by live fire training. The Army's surface soil sampling detected the following in site soils: antimony, arsenic, cobalt, copper, iron, 1-methylnaphthalene, lead, manganese, naphthalene, selenium, silver, total petroleum hydrocarbons (TPH) as diesel range organics (DRO) and residual range organics, and zirconium. **V1 at 3-106**

b. The Army said there's no significant impact because low rainfall means the contamination won't spread much and the aquifer is deep. But the Army also concedes "shallower aquifers" were supposed to be tested, but weren't. It's unacceptable to claim there is no significant impact when areas that are more likely to be affected haven't been studied. **V1 at 3-193**

c. The EPA pointed out PTA soils are highly permeable and some compounds are highly soluble and won't be absorbed into the soil. The EPA asked for soil sampling analysis to show how the Army knows contamination hasn't spread. The Army responded it has not sampled all of its lands "to determine the presence or absence of munitions constituents." **V2 at D-210**

d. The FEIS does not address logical questions. How can existing and future contamination be removed? Will it be removed? How much has it

already spread into the soils, vegetation, and animal life? How much worse will it get with continued Army operations?

(2) Potential and means to restore these lands.

a. *Can* the Army clean up these lands? How? To what degree will the lands be remediated? What happens if they can't do it? In response to these questions, the Army refers to FEIS section 3.5.6, which says "cleanup and restoration . . . are not part of the Proposed Action" and "future cleanup and restoration requirements, standard processes, and associated cost are unknown." **V1 at 3-122**

b. The existing leases only require: "Weapons and shells used in connection with training activities are to be removed to the extent that technical and economic capability exists and provided that expenditure for removal would not exceed the fair market value of the land." **DEIS V.1 at 3-14** (emphasis added). Left unchallenged, the Army could simply say that it's too expensive to clean up and leave their mess behind – in fact, the inclusion of such language incentivizes them to do so.

c. The Army said it will comply with the "Comprehensive Environmental Response, Compensation, and Liability Act" (CERCLA), which requires remedial action concerning stored hazardous substances, "necessary to protect human health and the environment with respect to any such substance remaining on the property has been taken before" transferring the land back. However, the Army will not be clear on what this will mean, changing its stance on whether it stores hazardous substances on state lands (see #3c) and refusing to disclose any remediation actions.

(3) Army is withholding information on accumulating contamination.

a. In addition to the harm that has already occurred, how much worse will land contamination get with continued Army operations? What practices does the Army follow to prevent munitions contaminants from accumulating? The Army says it follows Standard Operating Procedures that are not available for public disclosure. **V2 at D-211** The EIS only gives a vague summary. **V2 at E-15 & E-16**

b. The EIS does not tell us how much contamination has accumulated, despite these procedures, and its impacts.

c. KAHEA asked about PTA's hazardous waste spill risks. The Army responded by: (1) telling KAHEA to file a Freedom of Information Act request for the information, (2) deleting the section describing hazardous waste storage on PTA State lands. Has hazardous waste spilled on state lands? Where are these records?

(4) Why can't the Army start cleaning up now?

a. The state Department of Health ("DOH") commented "There is no need for the Army to wait for the end of the lease period to address known and potential contamination under [federal laws]. Sites identified in the first and second Draft EIS documents . . . that are on state land and no longer within currently active range locations should begin the cleanup process as soon as possible." **V2 at D-223**

b. The Army flagged this comment as "not resolved".

(5) Have contaminants entered groundwater? How does the Army know either way?

a. The Army says there's no evidence that it has, but also "[g]roundwater quality data are limited"; researchers recommended sampling groundwater in shallower aquifers; and no one has done this sampling or analysis. **V1 at 3-193**

b. Without completing the research, how can the Army discount the spread of contaminants, especially highly soluble perchlorate, into these water bodies?

(6) Could contaminants have impacts on human health?

a. DHHL "feel[s] strongly" that the Army should do long-term air-quality and water-table testing at PTA. **V2 at D-220** The Army declined, pointing to a one-year air quality monitoring program in 2007 that did not find levels outside standards and that the aquifer is very deep. However, the Army admits there is a shallow aquifer that has not been tested despite recommendations to do so.

b. The FEIS is inconsistent on this issue. It discloses there are

“potentially complete exposure pathways for human receptors from contaminants within the State-owned land surface soils” but because the same is not true for water and sediment, contaminants are “unlikely to impact public health.” **V1 at 3-107**

c. The FEIS acknowledges “airborne concentrations of lead on [Department of Defense] firing ranges have exceeded the Occupational Safety and Health Administration permissible exposure limit for some job duties, which might lead to increased blood lead levels”. **V1 at 3-117**  
Yet there is no mitigation or study proposed to prevent this from happening at PTA.

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a. The FEIS only considers impacts of continuing military training on 22,750 acres of State lands, even though these training operations are inextricable from the entire 132,000 acres of PTA. What are the true cumulative impacts of these operations? How does PTA as a whole impact Hawai‘i’s economy? Housing availability? Native species supposedly “habituated” to the sound of military training and potentially exposed to munitions contaminants?

b. What alternatives are foreclosed by using these lands and resources for military training? Land Board staff also point out this is missing from the FEIS **Submittal at 23**

(8) Fire impacts are worse than disclosed.

a. Between 1975 and August 2024, there were 1,261 fires of which 1007 fires were due to military activities. **V1 at 3-283**. Pōhakuloa is a TERRIBLE, fire prone place to do military training. Yet, the Army rejects proposals to relocate training - only mitigation for monitoring fires and inhibiting invasive grass growth.

b. The Department of Interior pointed out the “entire population of Palila are restricted to the west slope of Mauna Kea and are extremely vulnerable to an extinction event such as a wildland fire, as happened in 2021.” **V2 at D-214**

(9) No disclosure of greenhouse gases

- a. The EIS discloses the Army does not have data on its greenhouse gas emissions (“GHGs”) for activities on State lands. Why not? The U.S. military reportedly produces more GHGs than the entire nations of Portugal or Denmark,[1] but does not track its own emissions?
- b. At the same time, the FEIS concludes the Army’s “generation of GHGs has not meaningfully contributed to the impacts of global or local climate change.” **V1 at 4-16** How can it reach this conclusion if it does not have data?

(10) Existing mitigation proven insufficient by ongoing impacts.

- a. The FEIS concedes ongoing impacts from past PTA operations - which the Army proposes to continue indefinitely. **V1 at 4-11 - 4-25**
- b. And yet, proposed new mitigation solely consists in studies, reporting, monitoring, and potentially deploying a biological control directed at reducing wildfires and to formalize an access agreement with Native Hawaiian groups and individuals. **V1 at 3-220** As noted by DLNR staff, the Army should have done these studies as part of this EIS - not afterwards.
- c. For all other impacts, the Army will just continue existing mitigation measures. But these are not working because impacts continue to accrue, particularly to cultural resources as pointed out by Land Board staff who disagree that Army cultural resource programs are protecting these resources. **Submittal at 23**
- d. The FEIS excluded many lands from its survey of historic properties, including iwi kupuna, on state lands. **V1 at Fig. 3-8** How can the Army assess impacts to cultural resources if it does not even know if they are there?

Far from providing a comprehensive reference, the Army’s FEIS obstinately refuses to disclose the foreseeable harms their actions cause to Hawai’i’s land, water, cultural resources, and its people. If the Army does not know, the Board should reject the FEIS and require the Army to conduct necessary investigations as part of this environmental review process and not relegate these important issues to some unaccounted-for future scenario.

Mahalo for considering my testimony.

Aloha nō,  
Kamana`o Galloway

**From:** [Terry Galpin](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Pohakuloa  
**Date:** Thursday, May 8, 2025 9:46:49 PM

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Aloha my name is Terry Galpin. As a member of the community, I believe the BLNR has a duty to protect sacred lands. In regards to Pohakuloa the Army's FEIS is incomplete and fails to consult properly with cultural practitioners. It should not move forward. Please deny the EIS. Enough with handing over Hawaii land to the military.

Mahalo

Terry Galpin  
808-372-8131



**From:** [Taylor Garcia](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Calling on BLNR to Reject the Army's FEIS: Unanswered Questions and Ongoing Harms at Pōhakuloa  
**Date:** Thursday, May 8, 2025 4:43:14 PM

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Aloha Members of the Board of Land and Natural Resources,

Please REJECT the Army's final Environmental Impact Statement (Agenda item D-1) for their proposal to continue to occupy 22,750 acres of State land at Pōhakuloa Training Area on Hawai'i island ("PTA") for an undetermined amount of time and conditions.

The Board should require the Army to provide the following information to assist with the Board's future decision making on any "real estate" proposal for PTA:

(1) Contamination from past, present, and future military actions.

a. The FEIS discloses significant lead and heavy metal contamination in PTA lands caused by live fire training. The Army's surface soil sampling detected the following in site soils: antimony, arsenic, cobalt, copper, iron, 1-methylnaphthalene, lead, manganese, naphthalene, selenium, silver, total petroleum hydrocarbons (TPH) as diesel range organics (DRO) and residual range organics, and zirconium. V1 at 3-106

b. The Army said there's no significant impact because low rainfall means the contamination won't spread much and the aquifer is deep. But the Army also concedes "shallower aquifers" were supposed to be tested, but weren't. It's unacceptable to claim there is no significant impact when areas that are more likely to be affected haven't been studied. V1 at 3-193

c. The EPA pointed out PTA soils are highly permeable and some compounds are highly soluble and won't be absorbed into the soil. The EPA asked for soil sampling analysis to show how the Army knows contamination hasn't spread. The Army responded it has not sampled all of its lands "to determine the presence or absence of munitions constituents." V2 at D-210

d. The FEIS does not address logical questions. How can existing and future contamination be removed? Will it be removed? How much has it already spread into the soils, vegetation, and animal life? How much worse will it get with continued Army operations?

(2) Potential and means to restore these lands.

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a. Can the Army clean up these lands? How? To what degree will the lands be remediated? What happens if they can't do it? In response to these questions, the Army refers to FEIS section 3.5.6, which says "cleanup and restoration . . . are not part of the Proposed Action" and "future cleanup and restoration requirements, standard processes, and associated cost are unknown." V1 at 3-122

b. The existing leases only require: "Weapons and shells used in connection with training activities are to be removed to the extent that technical and economic capability exists and provided that expenditure for removal would not exceed the fair market value of the land." DEIS V.1 at 3-14 (emphasis added). Left unchallenged, the Army could simply say that it's too expensive to clean up and leave their mess behind – in fact, the inclusion of such language incentivizes them to do so.

c. The Army said it will comply with the "Comprehensive Environmental Response, Compensation, and Liability Act" (CERCLA), which requires remedial action concerning stored hazardous substances, "necessary to protect human health and the environment with respect to any such substance remaining on the property has been taken before" transferring the land back. However, the Army will not be clear on what this will mean, changing its stance on whether it stores hazardous substances on state lands (see #3c) and refusing to disclose any remediation actions.

### (3) Army is withholding information on accumulating contamination.

a. In addition to the harm that has already occurred, how much worse will land contamination get with continued Army operations? What practices does the Army follow to prevent munitions contaminants from accumulating? The Army says it follows Standard Operating Procedures that are not available for public disclosure. V2 at D-211 The EIS only gives a vague summary. V2 at E-15 & E-16

b. The EIS does not tell us how much contamination has accumulated, despite these procedures, and its impacts.

c. KAHEA asked about PTA's hazardous waste spill risks. The Army responded by: (1) telling KAHEA to file a Freedom of Information Act request for the information, (2) deleting the section describing hazardous waste storage on PTA State lands. Has hazardous waste spilled on state lands? Where are

these records?

(4) Why can't the Army start cleaning up now?

a. The state Department of Health ("DOH") commented "There is no need for the Army to wait for the end of the lease period to address known and potential contamination under [federal laws]. Sites identified in the first and second Draft EIS documents . . . that are on state land and no longer within currently active range locations should begin the cleanup process as soon as possible." V2 at D-223

b. The Army flagged this comment as "not resolved".

(5) Have contaminants entered groundwater? How does the Army know either way?

a. The Army says there's no evidence that it has, but also "[g]roundwater quality data are limited"; researchers recommended sampling groundwater in shallower aquifers; and no one has done this sampling or analysis. V1 at 3-193

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b. The FEIS is inconsistent on this issue. It discloses there are "potentially complete exposure pathways for human receptors from contaminants within the State-owned land surface soils" but because the same is not true for water and sediment, contaminants are "unlikely to impact public health." V1 at 3-107

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a. The FEIS only considers impacts of continuing military training on 22,750 acres of State lands, even though these training operations are inextricable from the entire 132,000 acres of PTA. What are the true cumulative impacts of these operations? How does PTA as a whole impact Hawai'i's economy? Housing availability? Native species supposedly "habituated" to the sound of military training and potentially exposed to munitions contaminants?

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d. The FEIS excluded many lands from its survey of historic properties, including iwi kupuna, on state lands. V1 at Fig. 3-8 How can the Army assess impacts to cultural resources if it does not even know if they are there?

Far from providing a comprehensive reference, the Army's FEIS obstinately refuses to disclose the foreseeable harms their actions cause to Hawai'i's land, water, cultural resources, and its people. If the Army does not know, the Board should reject the FEIS and require the Army to conduct necessary investigations as part of this environmental review process and not relegate these important issues to some unaccounted-for future scenario.

Mahalo for considering my testimony.  
Taylor Garcia



**HOUSE OF REPRESENTATIVES**

*Hale o nā Luna Makaʻāinana*

STATE OF HAWAII  
STATE CAPITOL  
415 SOUTH BERETANIA STREET  
HONOLULU, HAWAII 96813

May 9, 2025

Testimony on Agenda Item D-1

Decision-Making on the Army's Final EIS for the Pōhakuloa Training Area

Aloha e Chair Chang and Members of the Board of Land and Natural Resources,

As the State Representative for House District 20 and an advocate for water and land rights, I urge the Board to reject the U.S. Army's Final Environmental Impact Statement for its continued use of public, ceded lands at the Pōhakuloa Training Area (PTA) on Hawai'i Island beyond the pending expiration of the Army's lease for these lands.

The FEIS that was provided is deficient and does not provide sufficient information to allow the Department of Land and Natural Resources to uphold its public trust requirements. This is clearly seen in the DLNR's staff submittal, in which they highlight that the FEIS fails to include needed biological and archaeological surveys. For instance, the FEIS fails to include a critical discovery of traditional Hawaiian artifacts that Pōhakuloa staff found in a lava tube in 2022, which should have been disclosed. This exclusion further turns a blind eye to the cumulative effects of ongoing desecration of land and water on federal lands, and downplays significant threats to endangered native birds, plants, and wildlife—among many other issues, including indigenous traditions and human health.

As the U.S. military's \$1 lease of state land expires in 2029 after decades of live-fire training, actionable measures must be defined to ensure that the fate of these lands reflect the will of Hawai'i's people. But this is difficult to achieve if we are not given realistic assessments of the military's actions and impacts. The public should have access to accurate information about the cumulative environmental and cultural impacts of these military leases. Accepting this dangerously deficient document could result in actions that threaten the permanent and inadvertent loss of native species, iwi kūpuna, and historic properties that are deeply rooted in the public's interest.

Furthermore, the people of Hawai'i already have a growing distrust of the government and of the U.S. military. Accepting this deficient FEIS will create a flawed foundation for further negotiations, and further deepen the rift between these institutions and the people they purport to serve. For these reasons, I urge the Board of Land and Natural Resources to reject the FEIS put forward in Agenda Item D-1 for the sake of our precious environment, culture, and people.

Mahalo for your consideration,

A handwritten signature in black ink, appearing to read "Tina Nakada Grandinetti".

Rep. Tina Nakada Grandinetti  
Hawai'i State House, District 46

**From:** [Andrew Harrington](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Calling on BLNR to Reject the Army's FEIS: Unanswered Questions and Ongoing Harms at Pōhakuloa  
**Date:** Thursday, May 8, 2025 6:38:05 PM

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The Board should require the Army to provide the following information to assist with the Board's future decision making on any "real estate" proposal for PTA:

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- b. The Army said there's no significant impact because low rainfall means the contamination won't spread much and the aquifer is deep. But the Army also concedes "shallower aquifers" were supposed to be tested, but weren't. It's unacceptable to claim there is no significant impact when areas that are more likely to be affected haven't been studied. **V1 at 3-193**
- c. The EPA pointed out PTA soils are highly permeable and some compounds are highly soluble and won't be absorbed into the soil. The EPA asked for soil sampling analysis to show how the Army knows contamination hasn't spread. The Army responded it has not sampled all of its lands "to determine the presence or absence of munitions constituents." **V2 at D-210**
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unaccounted-for future scenario.

Mahalo for considering my testimony.

Andrew Harrington

**From:** [Amy Harth](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Officially Reject Army FEIS for PTA  
**Date:** Thursday, May 8, 2025 5:30:31 PM

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I'm writing to express my concerns about the Army's Environmental Impact Statement (EIS) for the Pōhakuloa Training Area (PTA) and to urge you to reject the EIS.

The EIS has not addressed the many important environmental concerns and clearly expressed questions raised by the community. I urge you to review the detailed analysis of these concerns submitted to you by KĀHEA - The Hawaiian Environmental Alliance.

As a researcher, I have seen EIS documents that were rushed through approvals and the catastrophic human and environmental devastation that has followed. I do not want that to happen to the people and land of the PTA. Therefore, I urge you to reject the incomplete "Final" EIS.

Thank you.

Sincerely,  
**Amy E. Harth, PhD**  
Overland Park, KS

**From:** [Guy Holt](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL]  
**Date:** Thursday, May 8, 2025 4:48:06 PM

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I submit my testimony that I do not allow foreign interest killing our island lifestyle. 1 get a Treaty, 2 no Annexation, 3 your fake time is up. Bye bye

**From:** [Brandon Ing](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] reject FEIS  
**Date:** Thursday, May 8, 2025 7:20:49 PM

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Aloha e Chair Chang and Members of the Board of Land and Natural Resources,  
My name is Brandon Ing and I respectfully urge you to do the right thing, and reject the clearly insufficient FEIS in Item D-1.

The public trust doctrine, embodied in our state constitution, requires the BLNR to exercise due diligence and prudence in managing our natural and cultural resources, and in protecting the interests of the present and future beneficiaries of the trust. Without cultural surveys, biological opinions, or a good faith assessment of alternative beneficial uses of the long-abused 'āina at Pōhakuloa - all things missing from the FEIS - the BLNR simply does not have the information it needs to even begin upholding these public trust duties. I urge the BLNR to reject this sorely deficient FEIS, as an affront to its responsibilities under our constitution and the public trust.

Accordingly, please REJECT the FEIS put forward in Agenda Item D-1.

Mahalo nui for the opportunity to testify.

Sincerely,

Brandon Ing

Board of Land and Natural Resources  
Department of Land and Natural Resources  
State of Hawai'i  
1151 Punchbowl Street  
Honolulu, Hawai'i 96813

**RE: Request to Defer Decision on the Final Environmental Impact Statement for the Pōhakuloa Training Area Long-Term Lease Renewal**

**WRITTEN TESTIMONY OF KANIELA ING**

**To:** Board of Land and Natural Resources

**From:** Our Hawaii Co-Founder (and former State Legislator), Kaniela Ing.

**Date:** May, 9 2025

**Re:** Opposition to the Final Environmental Impact Statement for the Pōhakuloa Training Area

Aloha Chair Chang and members of the Board,

My name is Kaniela Ing. I was raised in Upcountry Maui by a widowed mother. As a teenager, I worked in the pineapple fields to help support our family—on land taken from our ancestors, stripped of its water, and degraded by decades of industrial use. That experience instilled in me a lifelong commitment to justice and aloha 'āina.

I later served in the Hawai'i State House, where I chaired the Committee on Hawaiian Affairs and served as Majority Policy Leader. A decade ago, I was the only elected official to support downsizing the Army's footprint in Hawai'i. That position was unpopular with many, including members of my own party, but I believed then—as I do now—that the use of our lands must be rooted in principle, not political convenience. That plan would have returned land sufficient for 30,000 homes, opened thousands of acres for local agriculture, and redirected billions of dollars toward the well-being of our communities.

Today, you are being asked to accept the U.S. Army's Final Environmental Impact Statement (FEIS) to authorize the continued military occupation of 23,000 acres of public trust, conservation-zoned land at Pōhakuloa. The Army has used these lands for live-fire training for over 60 years. In that time, more than 1,000 wildfires have ignited, sacred Hawaiian sites have been desecrated, endangered species have been pushed to the brink, and ecosystems have been contaminated by heavy metals, toxins, and unexploded ordnance. Elsewhere, military operations have poisoned our water, as seen in the Red Hill disaster, and have contributed to violence and trafficking affecting Native Hawaiian women and girls.

Despite this record, the Army's FEIS is deeply flawed. It contains no new biological or cultural surveys, offers no meaningful alternatives to continued live-fire training, and most egregiously, denies the presence of iwi kūpuna—our ancestors' remains. That denial is not merely inaccurate; it is a profound act of erasure.



I want to be clear that I hold deep respect for those who serve in the armed forces. Many of my own friends and relatives have done so. But respect does not mean silence. When we welcomed the military into our islands, we did not consent to the indefinite degradation of our land, our culture, or our people. The Army has not acted as a steward. It has acted as a guest who, invited into our home, damaged it repeatedly and now asks to stay indefinitely.

I ask the members of this Board to consider the following: Would the United States ever permit live-fire training at Arlington National Cemetery or at Gettysburg? Certainly not. Then why is it acceptable to do so at Pōhakuloa? Are Hawaiian lives, Hawaiian burials, and Hawaiian sacred places somehow less worthy of protection?

We must envision a better path. Imagine what could be accomplished on those 23,000 acres: food sovereignty, affordable housing, watershed restoration, cultural revitalization, and a new generation of youth empowered to build a future rooted in care, not destruction. That is what public trust land is meant to serve: not bombs, bullets, and unaccountable power.

In 2015, I stood on Maunakea as the first elected official to do so. My brother, Lanakila, looked toward Pōhakuloa and said, “They are shooting our land right down the way. That is next.” I had long wondered why our generation had not risen like our kūpuna at Kaho‘olawe. But now, I know: we are rising.

Today, it is your turn. You have the authority—and the responsibility—to make a decision rooted in fact, in law, and in pono. I respectfully urge you to reject this FEIS. Demand an honest assessment. Demand legal compliance. Demand a process that honors the land and the people to whom it belongs.

This ‘āina is not a battlefield. It is sacred. Our blood is in this land.

I ask you, with deep respect: please, do not allow it to be bombed any longer.

Mahalo for your time, your kuleana, and your leadership.

**Me ka ‘oia‘i‘o,**

**Kaniela Ing**

Co-founder, *Our Hawai‘i*

Former State Representative, District 11

Former Chair, House Committee on Ocean, Marine Resources, and Hawaiian Affairs

**From:** [Haunani Joaquin](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Calling on BLNR to Reject the Army's FEIS: Unanswered Questions and Ongoing Harms at Pōhakuloa  
**Date:** Thursday, May 8, 2025 5:17:48 PM

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Aloha Members of the Board of Land and Natural Resources,

Please REJECT the Army's final Environmental Impact Statement (Agenda item D-1) for their proposal to continue to occupy 22,750 acres of State land at Pōhakuloa Training Area on Hawai'i island ("PTA") for an undetermined amount of time and conditions.

The Board should require the Army to provide the following information to assist with the Board's future decision making on any "real estate" proposal for PTA:

(1) Contamination from past, present, and future military actions.

a. The FEIS discloses significant lead and heavy metal contamination in PTA lands caused by live fire training. The Army's surface soil sampling detected the following in site soils: antimony, arsenic, cobalt, copper, iron, 1-methylnaphthalene, lead, manganese, naphthalene, selenium, silver, total petroleum hydrocarbons (TPH) as diesel range organics (DRO) and residual range organics, and zirconium. V1 at 3-106

b. The Army said there's no significant impact because low rainfall means the contamination won't spread much and the aquifer is deep. But the Army also concedes "shallower aquifers" were supposed to be tested, but weren't. It's unacceptable to claim there is no significant impact when areas that are more likely to be affected haven't been studied. V1 at 3-193

c. The EPA pointed out PTA soils are highly permeable and some compounds are highly soluble and won't be absorbed into the soil. The EPA asked for soil sampling analysis to show how the Army knows contamination hasn't spread. The Army responded it has not sampled all of its lands "to determine the presence or absence of munitions constituents." V2 at D-210

d. The FEIS does not address logical questions. How can existing and future contamination be removed? Will it be removed? How much has it already spread into the soils, vegetation, and animal life? How much worse will it get with continued Army operations?

(2) Potential and means to restore these lands.

a. Can the Army clean up these lands? How? To what degree will the lands be remediated? What happens if they can't do it? In response to these questions, the Army refers to FEIS section 3.5.6, which says "cleanup and restoration . . . are not part of the Proposed Action" and "future cleanup and restoration requirements, standard processes, and associated cost are unknown." V1 at 3-122

b. The existing leases only require: "Weapons and shells used in connection with training activities are to be removed to the extent that technical and economic capability exists and provided that expenditure for removal would not exceed the fair market value of the land." DEIS V.1 at 3-14 (emphasis added). Left unchallenged, the Army could simply say that it's too expensive to clean up and leave their mess behind – in fact, the inclusion of such language incentivizes them to do so.

c. The Army said it will comply with the “Comprehensive Environmental Response, Compensation, and Liability Act” (CERCLA), which requires remedial action concerning stored hazardous substances, “necessary to protect human health and the environment with respect to any such substance remaining on the property has been taken before” transferring the land back. However, the Army will not be clear on what this will mean, changing its stance on whether it stores hazardous substances on state lands (see #3c) and refusing to disclose any remediation actions.

(3) Army is withholding information on accumulating contamination.

a. In addition to the harm that has already occurred, how much worse will land contamination get with continued Army operations? What practices does the Army follow to prevent munitions contaminants from accumulating? The Army says it follows Standard Operating Procedures that are not available for public disclosure. V2 at D-211 The EIS only gives a vague summary. V2 at E-15 & E-16

b. The EIS does not tell us how much contamination has accumulated, despite these procedures, and its impacts.

c. KAHEA asked about PTA’s hazardous waste spill risks. The Army responded by: (1) telling KAHEA to file a Freedom of Information Act request for the information, (2) deleting the section describing hazardous waste storage on PTA State lands. Has hazardous waste spilled on state lands? Where are these records?

(4) Why can’t the Army start cleaning up now?

a. The state Department of Health (“DOH”) commented “There is no need for the Army to wait for the end of the lease period to address known and potential contamination under [federal laws]. Sites identified in the first and second Draft EIS documents . . . that are on state land and no longer within currently active range locations should begin the cleanup process as soon as possible.” V2 at D-223

b. The Army flagged this comment as “not resolved”.

(5) Have contaminants entered groundwater? How does the Army know either way?

a. The Army says there’s no evidence that it has, but also “[g]roundwater quality data are limited”; researchers recommended sampling groundwater in shallower aquifers; and no one has done this sampling or analysis. V1 at 3-193

b. Without completing the research, how can the Army discount the spread of contaminants, especially highly soluble perchlorate, into these water bodies?

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a. DHHL “feel[s] strongly” that the Army should do long-term air-quality and water-table testing at PTA. V2 at D-220 The Army declined, pointing to a one-year air quality monitoring program in 2007 that did not find levels outside standards and that the aquifer is very deep. However, the Army admits there is a shallow aquifer that has not been tested despite

recommendations to do so.

b. The FEIS is inconsistent on this issue. It discloses there are “potentially complete exposure pathways for human receptors from contaminants within the State-owned land surface soils” but because the same is not true for water and sediment, contaminants are “unlikely to impact public health.” V1 at 3-107

c. The FEIS acknowledges “airborne concentrations of lead on [Department of Defense] firing ranges have exceeded the Occupational Safety and Health Administration permissible exposure limit for some job duties, which might lead to increased blood lead levels”. V1 at 3-117 Yet there is no mitigation or study proposed to prevent this from happening at PTA.

#### (7) Cumulative impacts of the entirety of PTA

a. The FEIS only considers impacts of continuing military training on 22,750 acres of State lands, even though these training operations are inextricable from the entire 132,000 acres of PTA. What are the true cumulative impacts of these operations? How does PTA as a whole impact Hawai‘i’s economy? Housing availability? Native species supposedly “habituated” to the sound of military training and potentially exposed to munitions contaminants?

b. What alternatives are foreclosed by using these lands and resources for military training? Land Board staff also point out this is missing from the FEIS Submittal at 23

#### (8) Fire impacts are worse than disclosed.

a. Between 1975 and August 2024, there were 1,261 fires of which 1007 fires were due to military activities. V1 at 3-283. Pōhakuloa is a TERRIBLE, fire prone place to do military training. Yet, the Army rejects proposals to relocate training - only mitigation for monitoring fires and inhibiting invasive grass growth.

b. The Department of Interior pointed out the “entire population of Palila are restricted to the west slope of Mauna Kea and are extremely vulnerable to an extinction event such as a wildland fire, as happened in 2021.” V2 at D-214

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a. The EIS discloses the Army does not have data on its greenhouse gas emissions (“GHGs”) for activities on State lands. Why not? The U.S. military reportedly produces more GHGs than the entire nations of Portugal or Denmark,[1] but does not track its own emissions?

b. At the same time, the FEIS concludes the Army’s “generation of GHGs has not meaningfully contributed to the impacts of global or local climate change.” V1 at 4-16 How can it reach this conclusion if it does not have data?

#### (10) Existing mitigation proven insufficient by ongoing impacts.

a. The FEIS concedes ongoing impacts from past PTA operations - which the Army proposes to continue indefinitely. V1 at 4-11 - 4-25

b. And yet, proposed new mitigation solely consists in studies, reporting, monitoring, and

potentially deploying a biological control directed at reducing wildfires and to formalize an access agreement with Native Hawaiian groups and individuals. V1 at 3-220 As noted by DLNR staff, the Army should have done these studies as part of this EIS - not afterwards.

c. For all other impacts, the Army will just continue existing mitigation measures. But these are not working because impacts continue to accrue, particularly to cultural resources as pointed out by Land Board staff who disagree that Army cultural resource programs are protecting these resources. Submittal at 23

d. The FEIS excluded many lands from its survey of historic properties, including iwi kupuna, on state lands. V1 at Fig. 3-8 How can the Army assess impacts to cultural resources if it does not even know if they are there?

Far from providing a comprehensive reference, the Army's FEIS obstinately refuses to disclose the foreseeable harms their actions cause to Hawai'i's land, water, cultural resources, and its people. If the Army does not know, the Board should reject the FEIS and require the Army to conduct necessary investigations as part of this environmental review process and not relegate these important issues to some unaccounted-for future scenario.

Mahalo for considering my testimony.

**From:** [Tom Johnson Jr.](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Please, BLNR Should Reject the Army's FEIS: Pōhakuloa Unanswered Questions and Ongoing Harms  
**Date:** Thursday, May 8, 2025 5:51:54 PM

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Aloha Members of the Board of Land and Natural Resources,

Please REJECT the Army's final Environmental Impact Statement (Agenda item D-1) for their proposal to continue to occupy 22,750 acres of State land at Pōhakuloa Training Area on Hawai'i island ("PTA") for an undetermined amount of time and conditions.

The Board should require the Army to provide the following information to assist with the Board's future decision making on any "real estate" proposal for PTA:

(1) Contamination from past, present, and future military actions.

- a. The FEIS discloses significant lead and heavy metal contamination in PTA lands caused by live fire training. The Army's surface soil sampling detected the following in site soils: antimony, arsenic, cobalt, copper, iron, 1-methylnaphthalene, lead, manganese, naphthalene, selenium, silver, total petroleum hydrocarbons (TPH) as diesel range organics (DRO) and residual range organics, and zirconium. **V1 at 3-106**
- b. The Army said there's no significant impact because low rainfall means the contamination won't spread much and the aquifer is deep. But the Army also concedes "shallower aquifers" were supposed to be tested, but weren't. It's unacceptable to claim there is no significant impact when areas that are more likely to be affected haven't been studied. **V1 at 3-193**
- c. The EPA pointed out PTA soils are highly permeable and some compounds are highly soluble and won't be absorbed into the soil. The EPA asked for soil sampling analysis to show how the Army knows contamination hasn't spread. The Army responded it has not sampled

all of its lands “to determine the presence or absence of munitions constituents.” **V2 at D-210**

d. The FEIS does not address logical questions. How can existing and future contamination be removed? Will it be removed? How much has it already spread into the soils, vegetation, and animal life? How much worse will it get with continued Army operations?

(2) Potential and means to restore these lands.

a. *Can* the Army clean up these lands? How? To what degree will the lands be remediated? What happens if they can’t do it? In response to these questions, the Army refers to FEIS section 3.5.6, which says “cleanup and restoration . . . are not part of the Proposed Action” and “future cleanup and restoration requirements, standard processes, and associated cost are unknown.” **V1 at 3-122**

b. The existing leases only require: “Weapons and shells used in connection with training activities are to be removed to the extent that technical and economic capability exists and provided that expenditure for removal would not exceed the fair market value of the land.” **DEIS V.1 at 3-14** (emphasis added). Left unchallenged, the Army could simply say that it’s too expensive to clean up and leave their mess behind – in fact, the inclusion of such language incentivizes them to do so.

c. The Army said it will comply with the “Comprehensive Environmental Response, Compensation, and Liability Act” (CERCLA), which requires remedial action concerning stored hazardous substances, “necessary to protect human health and the environment with respect to any such substance remaining on the property has been taken before” transferring the land back. However, the Army will not be clear on what this will mean, changing its stance on whether it stores hazardous substances on state lands (see #3c) and refusing to disclose any remediation actions.

(3) Army is withholding information on accumulating contamination.

a. In addition to the harm that has already occurred, how much worse will land contamination get with continued Army operations? What practices does the Army follow to prevent munitions contaminants from accumulating? The Army says it follows Standard Operating Procedures that are not available for public disclosure. **V2 at D-211**  
The EIS only gives a vague summary. **V2 at E-15 & E-16**

b. The EIS does not tell us how much contamination has accumulated, despite these procedures, and its impacts.

c. KAHEA asked about PTA's hazardous waste spill risks. The Army responded by: (1) telling KAHEA to file a Freedom of Information Act request for the information, (2) deleting the section describing hazardous waste storage on PTA State lands. Has hazardous waste spilled on state lands? Where are these records?

(4) Why can't the Army start cleaning up now?

a. The state Department of Health ("DOH") commented "There is no need for the Army to wait for the end of the lease period to address known and potential contamination under [federal laws]. Sites identified in the first and second Draft EIS documents . . . that are on state land and no longer within currently active range locations should begin the cleanup process as soon as possible." **V2 at D-223**

b. The Army flagged this comment as "not resolved".

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a. The Army says there's no evidence that it has, but also "[g]roundwater quality data are limited"; researchers recommended sampling groundwater in shallower aquifers; and no one has done this



sampling or analysis. **V1 at 3-193**

b. Without completing the research, how can the Army discount the spread of contaminants, especially highly soluble perchlorate, into these water bodies?

(6) Could contaminants have impacts on human health?

a. DHHL “feel[s] strongly” that the Army should do long-term air-quality and water-table testing at PTA. **V2 at D-220** The Army declined, pointing to a one-year air quality monitoring program in 2007 that did not find levels outside standards and that the aquifer is very deep. However, the Army admits there is a shallow aquifer that has not been tested despite recommendations to do so.

b. The FEIS is inconsistent on this issue. It discloses there are “potentially complete exposure pathways for human receptors from contaminants within the State-owned land surface soils” but because the same is not true for water and sediment, contaminants are “unlikely to impact public health.” **V1 at 3-107**

c. The FEIS acknowledges “airborne concentrations of lead on [Department of Defense] firing ranges have exceeded the Occupational Safety and Health Administration permissible exposure limit for some job duties, which might lead to increased blood lead levels”. **V1 at 3-117** Yet there is no mitigation or study proposed to prevent this from happening at PTA.

(7) Cumulative impacts of the entirety of PTA

a. The FEIS only considers impacts of continuing military training on 22,750 acres of State lands, even though these training operations are inextricable from the entire 132,000 acres of PTA. What are the true cumulative impacts of these operations? How does PTA as a whole impact Hawai'i's economy? Housing availability? Native species

supposedly “habituated” to the sound of military training and potentially exposed to munitions contaminants?

b. What alternatives are foreclosed by using these lands and resources for military training? Land Board staff also point out this is missing from the FEIS **Submittal at 23**

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a. Between 1975 and August 2024, there were 1,261 fires of which 1007 fires were due to military activities. **V1 at 3-283**. Pōhakuloa is a TERRIBLE, fire prone place to do military training. Yet, the Army rejects proposals to relocate training - only mitigation for monitoring fires and inhibiting invasive grass growth.

b. The Department of Interior pointed out the “entire population of Palila are restricted to the west slope of Mauna Kea and are extremely vulnerable to an extinction event such as a wildland fire, as happened in 2021.” **V2 at D-214**

(9) No disclosure of greenhouse gases

a. The EIS discloses the Army does not have data on its greenhouse gas emissions (“GHGs”) for activities on State lands. Why not? The U.S. military reportedly produces more GHGs than the entire nations of Portugal or Denmark,[1] but does not track its own emissions?

b. At the same time, the FEIS concludes the Army’s “generation of GHGs has not meaningfully contributed to the impacts of global or local climate change.” **V1 at 4-16** How can it reach this conclusion if it does not have data?

(10) Existing mitigation proven insufficient by ongoing impacts.

a. The FEIS concedes ongoing impacts from past PTA operations - which the Army proposes to continue indefinitely. **V1 at 4-11 - 4-25**

b. And yet, proposed new mitigation solely consists in studies, reporting, monitoring, and potentially deploying a biological control directed at reducing wildfires and to formalize an access agreement with Native Hawaiian groups and individuals. **V1 at 3-220** As noted by DLNR staff, the Army should have done these studies as part of this EIS - not afterwards.

c. For all other impacts, the Army will just continue existing mitigation measures. But these are not working because impacts continue to accrue, particularly to cultural resources as pointed out by Land Board staff who disagree that Army cultural resource programs are protecting these resources. **Submittal at 23**

d. The FEIS excluded many lands from its survey of historic properties, including iwi kupuna, on state lands. **V1 at Fig. 3-8** How can the Army assess impacts to cultural resources if it does not even know if they are there?

Far from providing a comprehensive reference, the Army's FEIS obstinately refuses to disclose the foreseeable harms their actions cause to Hawai'i's land, water, cultural resources, and its people. If the Army does not know, the Board should reject the FEIS and require the Army to conduct necessary investigations as part of this environmental review process and not relegate these important issues to some unaccounted-for future scenario.

Mahalo for considering my testimony.

Tom Johnson  
gharrity@gmail.com  
206-303-8470

**From:** [Chryssa Jones](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Reject the Army FEIS  
**Date:** Thursday, May 8, 2025 4:31:29 PM

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Aloha BLNR Members,

I am writing to urge you to REJECT the Army's final Environmental Impact Statement (Agenda item D-1) for their proposal to continue to occupy 22,750 acres of State land at Pōhakuloa Training Area on Hawai'i island ("PTA") for an undetermined amount of time and conditions.

Instead, please require the Army to provide the following information to assist with the Board's future decision making on any "real estate" proposal for PTA:

(1) Contamination from past, present, and future military actions.

- a. The FEIS discloses significant lead and heavy metal contamination in PTA lands caused by live fire training. The Army's surface soil sampling detected the following in site soils: antimony, arsenic, cobalt, copper, iron, 1-methylnaphthalene, lead, manganese, naphthalene, selenium, silver, total petroleum hydrocarbons (TPH) as diesel range organics (DRO) and residual range organics, and zirconium. V1 at 3-106
- b. The Army said there's no significant impact because low rainfall means the contamination won't spread much and the aquifer is deep. But the Army also concedes "shallower aquifers" were supposed to be tested, but weren't. It's unacceptable to claim there is no significant impact when areas that are more likely to be affected haven't been studied. V1 at 3-193
- c. The EPA pointed out PTA soils are highly permeable and some compounds are highly soluble and won't be absorbed into the soil. The EPA asked for soil sampling analysis to show how the Army knows contamination hasn't spread. The Army responded it has not sampled all of its lands "to determine the presence or absence of munitions constituents." V2 at D-210
- d. The FEIS does not address logical questions. How can existing and future contamination be removed? Will it be removed? How much has it already spread into the soils, vegetation, and animal life? How much worse will it get with continued Army operations?

(2) Potential and means to restore these lands.

- a. Can the Army clean up these lands? How? To what degree will the lands be remediated? What happens if they can't do it? In response to these questions, the Army refers to FEIS section 3.5.6, which says "cleanup and restoration . . . are not part of the Proposed Action" and "future cleanup and restoration requirements, standard processes, and associated cost are unknown." V1 at 3-122
- b. The existing leases only require: "Weapons and shells used in connection with training activities are to be removed to the extent that technical and economic capability exists and provided that expenditure for removal would not exceed the fair market value of the land." DEIS V.1 at 3-14 (emphasis added). Left unchallenged, the Army could simply say that it's too expensive to clean up and leave their mess behind – in fact, the inclusion of such language

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a. The state Department of Health (“DOH”) commented “There is no need for the Army to wait for the end of the lease period to address known and potential contamination under [federal laws]. Sites identified in the first and second Draft EIS documents . . . that are on state land and no longer within currently active range locations should begin the cleanup process as soon as possible.” V2 at D-223

b. The Army flagged this comment as “not resolved”.

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Mahalo for considering my testimony.

Aloha,  
Chryssa Ke'alaokamaile Jones

**From:** Jan  
**To:** DLNR, BLNR Testimony  
**Subject:** [EXTERNAL] Calling on BLNR to Reject the Army's FEIS: Unanswered Questions and Ongoing Harms at Pōhakuloa  
**Date:** Thursday, May 8, 2025 4:33:32 PM

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- c. The EPA pointed out PTA soils are highly permeable and some compounds are highly soluble and won't be absorbed into the soil. The EPA asked for soil sampling analysis to show how the Army knows contamination hasn't spread. The Army responded it has not sampled all of its lands "to determine the presence or absence of munitions constituents." **V2 at D-210**
- d. The FEIS does not address logical questions. How can existing and future contamination be removed? Will it be removed? How much has it already spread into the soils, vegetation, and animal life? How much worse will it get with continued Army operations?

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- a. The Army says there’s no evidence that it has, but also “[g]roundwater quality data are limited”; researchers recommended sampling groundwater in shallower aquifers; and no one has done this sampling or analysis. **V1 at 3-193**
- b. Without completing the research, how can the Army discount the spread of contaminants, especially highly soluble perchlorate, into these water bodies?

(6) Could contaminants have impacts on human health?

- a. DHHL “feel[s] strongly” that the Army should do long-term air-quality and water-table testing at PTA. **V2 at D-220** The Army declined, pointing to a one-year air quality monitoring program in 2007 that did not find levels outside standards and that the aquifer is very deep. However, the Army admits there is a shallow aquifer that has not been tested despite recommendations to do so.
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- c. The FEIS acknowledges “airborne concentrations of lead on [Department of Defense] firing ranges have exceeded the Occupational Safety and Health Administration permissible exposure limit for some job duties, which might lead to increased blood lead levels”. **V1 at 3-117** Yet there is no mitigation or study proposed to prevent this from happening at PTA.

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- a. The FEIS only considers impacts of continuing military training on 22,750 acres of State lands, even though these training operations are inextricable from the entire 132,000 acres of PTA. What are the true cumulative impacts of these operations? How does PTA as a whole impact Hawai'i's economy? Housing availability? Native species supposedly "habituated" to the sound of military training and potentially exposed to munitions contaminants?
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- a. Between 1975 and August 2024, there were 1,261 fires of which 1007 fires were due to military activities. **V1 at 3-283.** Pōhakuloa is a TERRIBLE, fire prone place to do military training. Yet, the Army rejects proposals to relocate training - only mitigation for monitoring fires and inhibiting invasive grass growth.
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- a. The FEIS concedes ongoing impacts from past PTA operations - which the Army proposes to continue indefinitely. **V1 at 4-11 - 4-25**
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- c. For all other impacts, the Army will just continue existing mitigation measures. But these are not working because impacts continue to accrue, particularly to cultural resources as pointed out by Land Board staff who disagree that Army cultural resource programs are protecting these resources.  
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- d. The FEIS excluded many lands from its survey of historic properties, including iwi kupuna, on state lands. **V1 at Fig. 3-8** How can the Army assess impacts to cultural resources if it does not even know if they are there?

Far from providing a comprehensive reference, the Army's FEIS obstinately refuses to disclose the foreseeable harms their actions cause to Hawai'i's land, water, cultural resources, and its people. If the Army does not know, the Board should reject the FEIS and require the Army to conduct necessary investigations as part of this environmental review

process and not relegate these important issues to some unaccounted-for future scenario.

Mahalo for considering my testimony.

Janice Y. S. Jong

**From:** [R Kahoolalahala](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Reject FEIS in Item D-1  
**Date:** Thursday, May 8, 2025 9:34:43 PM

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*Aloha e Chair Chang and Members of the Board of Land and Natural Resources,*

*My name is Roselani Kaho'ohalahala and I am from Kaua'i. I respectfully urge you to do the right thing, and reject the clearly insufficient FEIS in Item D-1.*

*Native Hawaiians have long borne a disproportionate burden in witnessing Pōhakuloa's sacred 'āina be bombed, poisoned, and desecrated - for generations. The US Congress itself, in the 1993 Apology Resolution, recognized the intrinsic and unique relationship between the well-being of the Hawaiian people and their connection to 'āina. Yet the FEIS fails to account for the deep psychological, spiritual, and physical harms that will continue to be borne by the Native Hawaiian community in particular, should their demands for justice, healing, and reconnection with ancestral (and illegally stolen) 'āina at Pōhakuloa be ignored for another 65 years or longer.*

*Please reject this FEIS, to ensure that the Army fully accounts for the harms it has and will continue to inflict with its "retention" proposal, including to the Native Hawaiian community.*

*Mahalo nui for the opportunity to testify.*

*Sincerely,*

*Roselani Kaho'ohalahala*

Aloha Members of the Board of Land and Natural Resources,

Please REJECT the Army's final Environmental Impact Statement (Agenda item D-1) for their proposal to continue to occupy 22,750 acres of State land at Pōhakuloa Training Area on Hawai'i island ("PTA") for an undetermined amount of time and conditions.

We so profoundly need to do what is pono for the 'āina that sustains us.

This is an opportunity to make some vital decisions about the future of our lives together. It should be clear—after Kaho'olawe, Red Hill, among many examples—that the U.S. military does not care about protecting the land, the water and the air of our islands.

The Board should require the Army to provide the following information to assist with the Board's future decision making on any "real estate" proposal for PTA:

(1) Contamination from past, present, and future military actions.

- a. The FEIS discloses significant lead and heavy metal contamination in PTA lands caused by live fire training. The Army's surface soil sampling detected the following in site soils: antimony, arsenic, cobalt, copper, iron, 1-methylnaphthalene, lead, manganese, naphthalene, selenium, silver, total petroleum hydrocarbons (TPH) as diesel range organics (DRO) and residual range organics, and zirconium. V1 at 3-106
- b. The Army said there's no significant impact because low rainfall means the contamination won't spread much and the aquifer is deep. But the Army also concedes "shallower aquifers" were supposed to be tested, but weren't. It's unacceptable to claim there is no significant impact when areas that are more likely to be affected haven't been studied. V1 at 3-193
- c. The EPA pointed out PTA soils are highly permeable and some compounds are highly soluble and won't be absorbed into the soil. The EPA asked for soil sampling analysis to show how the Army knows contamination hasn't spread. The Army responded it has not sampled all of its lands "to determine the presence or absence of munitions constituents." V2 at D-210
- d. The FEIS does not address logical questions. How can existing and future contamination be removed? Will it be removed? How much has it already spread into the soils, vegetation, and animal life? How much worse will it get with continued Army operations?

(2) Potential and means to restore these lands.

- a. Can the Army clean up these lands? How? To what degree will the lands be remediated? What happens if they can't do it? In response to these questions, the Army refers to FEIS section 3.5.6, which says "cleanup and restoration . . . are not part of the Proposed Action" and "future cleanup and restoration requirements, standard processes, and associated cost are unknown." V1 at 3-122
- b. The existing leases only require: "Weapons and shells used in connection with training activities are to be removed to the extent that technical and economic capability exists and provided that expenditure for removal would not exceed the fair market value of the land." DEIS V.1 at 3-

14 (emphasis added). Left unchallenged, the Army could simply say that it's too expensive to clean up and leave their mess behind – in fact, the inclusion of such language incentivizes them to do so.

c. The Army said it will comply with the “Comprehensive Environmental Response, Compensation, and Liability Act” (CERCLA), which requires remedial action concerning stored hazardous substances, “necessary to protect human health and the environment with respect to any such substance remaining on the property has been taken before” transferring the land back. However, the Army will not be clear on what this will mean, changing its stance on whether it stores hazardous substances on state lands (see #3c) and refusing to disclose any remediation actions.

(3) Army is withholding information on accumulating contamination.

a. In addition to the harm that has already occurred, how much worse will land contamination get with continued Army operations? What practices does the Army follow to prevent munitions contaminants from accumulating? The Army says it follows Standard Operating Procedures that are not available for public disclosure. V2 at D-211 The EIS only gives a vague summary. V2 at E-15 & E-16

b. The EIS does not tell us how much contamination has accumulated, despite these procedures, and its impacts.

c. KAHEA asked about PTA's hazardous waste spill risks. The Army responded by: (1) telling KAHEA to file a Freedom of Information Act request for the information, (2) deleting the section describing hazardous waste storage on PTA State lands. Has hazardous waste spilled on state lands? Where are these records?

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a. The state Department of Health (“DOH”) commented “There is no need for the Army to wait for the end of the lease period to address known and potential contamination under [federal laws]. Sites identified in the first and second Draft EIS documents . . . that are on state land and no longer within currently active range locations should begin the cleanup process as soon as possible.” V2 at D-223

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Far from providing a comprehensive reference, the Army's FEIS obstinately refuses to disclose the foreseeable harms their actions cause to Hawai'i's land, water, cultural resources, and its people. If the Army does not know, the Board should reject the FEIS and require the Army to conduct necessary investigations as part of this environmental review process and not relegate these important issues to some unaccounted-for future scenario.

Mahalo for considering my testimony.

Maile Kaku

May 8, 2025



**From:** [Shae Kamaka"ala](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Calling on BLNR to Reject the Army's FEIS  
**Date:** Thursday, May 8, 2025 4:40:06 PM

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Aloha mai kakou,

Submitting email testimony, calling on BLNR to reject the FEIS for Pohakuloa.

Mālama pono,  
Shae Kamakaala

**From:** [Julie Kaomea](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Calling on BLNR to Reject the Army's FEIS (Agenda item D-1)  
**Date:** Thursday, May 8, 2025 6:51:30 PM

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Aloha Chair Chang and Members of the Board of Land and Natural Resources.

I am writing to respectfully ask that you uphold Hawaiʻi law and your mission by REJECTING the Final EIS for the Army Training Land Retention at Pōhakuloa (Agenda item D-1).

As the DLNR staff clearly and repeatedly point out in their analysis of the Final EIS, the FEIS disregards clear Hawaiʻi law by refusing to address basic legal requirements--such as fully declaring the environmental and cultural impacts that will take place on these lands, and completing basic surveys and inventories that are necessary to enable an objective assessment of the impacts.

Moreover, as the DLNR staff note in their report, these shortcomings were communicated to the applicants throughout the review process, but were still not addressed satisfactorily in the Final EIS. With these facts in mind, I again urge you to please uphold the law, and your mission, and reject this incomplete and unlawful document. Mahalo for considering this testimony.

ke aloha,

Julie Kaomea

**From:** [Yeshuah Kauhane](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Calling on BLNR to Reject the Army's FEIS  
**Date:** Thursday, May 8, 2025 8:18:16 PM

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d. The FEIS does not address logical questions. How can existing and future contamination be removed? Will it be removed? How much has it already spread into the soils, vegetation, and animal life? How much worse will it get with continued Army operations?

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The harm that has been done cannot be undone, but those of you moving forward have a chance to change history for the better. For better health, better relationships, better futures for our children and a better Hawaii. Please, please, make a decision that can bring healing, for once, and that is made in integrity, not gross use of power and intimidation, corruption and special interests.

Thank you,

Yeshuah Waiaka Kauhane

**From:** [Amanda K](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Calling on BLNR to Reject the Army's FEIS: Unanswered Questions and Ongoing Harms at Pōhakuloa  
**Date:** Thursday, May 8, 2025 7:43:53 PM

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a. The FEIS only considers impacts of continuing military training on 22,750 acres of State lands, even though these training operations are inextricable from the entire 132,000 acres of PTA. What are the true cumulative impacts of these operations? How does PTA as a whole impact Hawai‘i’s economy? Housing availability? Native species supposedly “habituated” to the sound of military training and potentially exposed to munitions contaminants?

b. What alternatives are foreclosed by using these lands and resources for military training? Land Board staff also point out this is missing from the FEIS **Submittal at 23**

(8) Fire impacts are worse than disclosed.

a. Between 1975 and August 2024, there were 1,261 fires of which 1007 fires were due to military activities. **V1 at 3-283**. Pōhakuloa is a TERRIBLE, fire prone place to do military training. Yet, the Army rejects proposals to relocate training - only mitigation for monitoring fires and inhibiting invasive grass growth.

b. The Department of Interior pointed out the “entire population of Palila are restricted to the west slope of Mauna Kea and are extremely vulnerable to an extinction event such as a wildland fire, as happened in 2021.” **V2 at D-214**

(9) No disclosure of greenhouse gases

a. The EIS discloses the Army does not have data on its greenhouse gas emissions (“GHGs”) for activities on State lands. Why not? The U.S. military reportedly produces more GHGs than the entire nations of Portugal or Denmark,[1] but does not track its own emissions?

b. At the same time, the FEIS concludes the Army’s “generation of GHGs has not meaningfully contributed to the impacts of global or local climate change.” **V1 at 4-16** How can it reach this conclusion if it does not have data?

(10) Existing mitigation proven insufficient by ongoing impacts.

a. The FEIS concedes ongoing impacts from past PTA operations - which the Army proposes to continue indefinitely. **V1 at 4-11 - 4-25**

b. And yet, proposed new mitigation solely consists in studies, reporting, monitoring, and potentially deploying a biological control directed at reducing wildfires and to formalize an access agreement with Native Hawaiian groups and individuals. **V1 at 3-220** As noted by DLNR staff, the Army should have done these studies as part of this EIS - not afterwards.

c. For all other impacts, the Army will just continue existing mitigation measures. But these are not working because impacts continue to accrue, particularly to cultural resources as pointed out by Land Board staff who disagree that Army cultural resource programs are protecting these resources. **Submittal at 23**

d. The FEIS excluded many lands from its survey of historic properties, including iwi kupuna, on state lands. **V1 at Fig. 3-8** How can the Army assess impacts to cultural resources if it does not even know if they are there?

Far from providing a comprehensive reference, the Army’s FEIS obstinately refuses to disclose the foreseeable harms their actions cause to Hawai’i’s land, water, cultural resources, and its people. If the Army does not know, the Board should reject the FEIS and require the Army to conduct necessary investigations as part of this environmental review process and not relegate these important issues to some

unaccounted-for future scenario.

Mahalo for considering my testimony.

A. Kekahuna

**From:** [John Kersting](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Clear That BLNR Must Reject the Army's FEIS- Serious Unanswered Questions/ Ongoing Harms at Pōhakuloa  
**Date:** Thursday, May 8, 2025 7:27:18 PM

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Aloha and Greetings to Each Member of the Board of Land and Natural Resources,

I have been a teacher for 25 years, a journalist for 40 and lived in Hawaii for two years. Unfortunately I was unable to become certified in Hawaii on a technicality, which happens a lot in a challenging legal environment like Hawaii. I love Hawaii, may retire on the Big Island and have been on its lands, in it's seas and breathed it's sometimes toxic air. I am deeply concerned for our Planet Mother Earth and particularly valuable places like Hawaii. I live in Washington State and I strongly support taking every effort to respect Native Peoples interests, rights and preserving all possible areas from dangerous activities and policies. I know the remainder of my letter is copied but I have read, support and understand each issue presented is of deep concern and relevance. I know each of you are members of our extended family and we trust you will act with integrity to the long term health of all our people, especially those wronged in the past and planet. Being more powerful does not make an entity like the Army right or more entitled. Might does not make right.

In the strongest terms possible I plead with you to please REJECT the Army's final Environmental Impact Statement (Agenda item D-1) for their proposal to continue to occupy 22,750 acres of State land at Pōhakuloa Training Area on Hawai'i island ("PTA") for an undetermined amount of time and conditions.

The Board should require the Army to provide the following information to assist with the Board's future decision making on any "real estate" proposal for PTA:

(1) Contamination from past, present, and future military actions.

a. The FEIS discloses significant lead and heavy metal contamination in PTA lands caused by live fire training. The Army's surface soil sampling detected the following in site soils: antimony, arsenic, cobalt, copper, iron, 1-methylnaphthalene, lead, manganese, naphthalene, selenium, silver, total petroleum hydrocarbons (TPH) as diesel range organics (DRO) and residual range organics, and zirconium. **V1 at 3-106**

b. The Army said there's no significant impact because low rainfall

means the contamination won't spread much and the aquifer is deep. But the Army also concedes "shallower aquifers" were supposed to be tested, but WERE NOT. It's unacceptable to claim there is no significant impact when areas that are more likely to be affected haven't been studied. **V1 at 3-193**

c. The EPA pointed out PTA soils are highly permeable and some compounds are highly soluble and won't be absorbed into the soil. The EPA asked for soil sampling analysis to show how the Army knows contamination hasn't spread. The Army responded it HAS NOT sampled all of its lands "to determine the presence or absence of munitions constituents." **V2 at D-210**

d. The FEIS does not address logical questions. How can existing and future contamination be removed? Will it be removed? How much has it already spread into the soils, vegetation, and animal life? How much worse will it get with continued Army operations? Why not???

(2) Potential and means to restore these lands.

a. *Can* the Army clean up these lands? How? To what degree will the lands be remediated? What happens if they can't do it? In response to these questions, the Army refers to FEIS section 3.5.6, which says "cleanup and restoration . . . are not part of the Proposed Action" and "future cleanup and restoration requirements, standard processes, and associated cost are UNKNOWN" **V1 at 3-122**

b. The existing leases only require: "Weapons and shells used in connection with training activities are to be removed to the extent that technical and economic (?) capability exists and provided that expenditure for removal would not exceed the fair market value of the land." **DEIS V.1 at 3-14 WHY NOT!** (emphasis added). Left unchallenged, the Army could simply say that it's too expensive to clean up and leave their mess behind – in fact, the inclusion of such language incentivizes them to do so.

c. The Army said it will comply with the "Comprehensive Environmental Response, Compensation, and Liability Act" (CERCLA), which requires remedial action concerning stored hazardous substances, "necessary to protect human health and the environment with respect to any such

substance remaining on the property has been taken before” transferring the land back. However, the Army will not be clear on what this will mean, changing its stance on whether it stores hazardous substances on state lands (see #3c) and refusing to disclose any remediation actions. This is unacceptable, what if this was on your farmland, remember every American owns these lands and they were taken with force!

(3) Army is withholding information on accumulating contamination.

a. In addition to the harm that has already occurred, how much worse will land contamination get with continued Army operations? What practices does the Army follow to prevent munitions contaminants from accumulating? The Army says it follows Standard Operating Procedures that are not available for public disclosure. **V2 at D-211** The EIS only gives a vague summary. **V2 at E-15 & E-16 This is clearly a deceptive practice to avoid even partial or paraphrased unclassified responses. Rehensible.**

b. The EIS does not tell us how much contamination has accumulated, despite these procedures, and its impacts.

c. KAHEA asked about PTA’s hazardous waste spill risks. The Army responded by: (1) telling KAHEA to file a Freedom of Information Act request for the information, (2) deleting the section describing hazardous waste storage on PTA State lands. Has hazardous waste spilled on state lands? Where are these records? This earns a full rejection, not pause on their proposal. Again, they have not yet earned our public trust and repeatedly so. The obvious responsible action is to reject this to acknowledge and have them bear consequence for their unlawful and disrespectful responses.

(4) Why can’t the Army start cleaning up now?

a. The state Department of Health (“DOH”) commented “There is no need for the Army to wait for the end of the lease period to address known and potential contamination under [federal laws]. Sites identified in the first and second Draft EIS documents . . . that are on state land and no longer within currently active range locations should begin the cleanup process as soon as possible.” **V2 at D-223 I trust the DOH**



**much more than the elusive Army authors of this Swiss cheese document.**

b. The Army flagged this comment as “not resolved”.

(5) Have contaminants entered groundwater? How does the Army know either way?

a. The Army says there’s no evidence that it has, but also “[g]roundwater quality data are limited”; researchers recommended sampling groundwater in shallower aquifers; and no one has done this sampling or analysis. **V1 at 3-193 Is this not their responsibility as caretakers of OUR lands and waters. Again, place yourself as a landowner with tenants acting this way!**

b. Without completing the research, how can the Army discount the spread of contaminants, especially highly soluble perchlorate, into these water bodies?

(6) Could contaminants have impacts on human health?

a. DHHL “feel[s] strongly” that the Army should do long-term air-quality and water-table testing at PTA. **V2 at D-220** The Army declined, pointing to a one-year air quality monitoring program in 2007 that did not find levels outside standards and that the aquifer is very deep. However, the Army admits there is a shallow aquifer that has not been tested despite recommendations to do so. That stinks to high heaven in my vernacular. Tell them to go back and do it. Reject this pathetic response.

b. The FEIS is inconsistent on this issue. It discloses there are “potentially complete exposure pathways for human receptors from contaminants within the State-owned land surface soils” but because the same is not true for water and sediment, contaminants are “unlikely to impact public health.” **V1 at 3-107**

c. The FEIS acknowledges “airborne concentrations of lead on [Department of Defense] firing ranges have exceeded the Occupational Safety and Health Administration permissible exposure limit for some job duties, which might lead to increased blood lead levels”. **V1 at 3-117** Yet there is no mitigation or study proposed to prevent this from

happening at PTA.

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a. The FEIS only considers impacts of continuing military training on 22,750 acres of State lands, even though these training operations are inextricable from the entire 132,000 acres of PTA. What are the true cumulative impacts of these operations? How does PTA as a whole impact Hawai'i's economy? Housing availability? Native species supposedly "habituated" to the sound of military training and potentially exposed to munitions contaminants?

b. What alternatives are foreclosed by using these lands and resources for military training? Land Board staff also point out this is missing from the FEIS **Submittal at 23**

(8) Fire impacts are worse than disclosed.

a. Between 1975 and August 2024, there were 1,261 fires of which 1007 fires were due to military activities. **V1 at 3-283**. Pōhakuloa is a TERRIBLE, fire prone place to do military training. Yet, the Army rejects proposals to relocate training - only mitigation for monitoring fires and inhibiting invasive grass growth. Each of you should examine the Maui fires for information on "it cannot happen here" attitudes and conclusions. ie: In summary, the Maui wildfire aftermath is a complex and ongoing process with a long road to recovery ahead. While progress is being made in cleanup, rebuilding, and economic recovery, residents continue to face challenges in housing, economic stability, and the psychological impact of the tragedy.

b. The Department of Interior pointed out the "entire population of Palila are restricted to the west slope of Mauna Kea and are extremely vulnerable to an extinction event such as a wildland fire, as happened in 2021." **V2 at D-214 Who cares?**

(9) No disclosure of greenhouse gases

a. The EIS discloses the Army does not have data on its greenhouse gas emissions ("GHGs") for activities on State lands. Why not? The U.S.

military reportedly produces more GHGs than the entire nations of Portugal or Denmark,[1] but does not track its own emissions?

b. At the same time, the FEIS concludes the Army's "generation of GHGs has not meaningfully contributed to the impacts of global or local climate change." **V1 at 4-16** How can it reach this conclusion if it does not have data?

(10) Existing mitigation proven insufficient by ongoing impacts.

a. The FEIS concedes ongoing impacts from past PTA operations - which the Army proposes to continue indefinitely. **V1 at 4-11 - 4-25**

b. And yet, proposed new mitigation solely consists in studies, reporting, monitoring, and potentially deploying a biological control directed at reducing wildfires and to formalize an access agreement with Native Hawaiian groups and individuals. **V1 at 3-220** As noted by DLNR staff, the Army should have done these studies as part of this EIS - not afterwards. YES!!!

c. For all other impacts, the Army will just continue existing mitigation measures. But these are not working because impacts continue to accrue, particularly to cultural resources as pointed out by Land Board staff who disagree that Army cultural resource programs are protecting these resources. **Submittal at 23**

d. The FEIS excluded many lands from its survey of historic properties, including iwi kupuna, on state lands. **V1 at Fig. 3-8** How can the Army assess impacts to cultural resources if it does not even know if they are there?

Far from providing a comprehensive reference, the Army's FEIS obstinately refuses to disclose the foreseeable harms their actions cause to Hawai'i's land, water, cultural resources, and its people. If the Army does not know, the Board should reject the FEIS and require the Army to conduct necessary investigations as part of this environmental review process and not relegate these important issues to some unaccounted-for future scenario.

Mahalo for considering the testimony with which I know all of my Washington and Hawaii family, friends and community would agree.

Sincerely,

John Kersting- JustUs Productions

25 Year Teacher, journalist and community organizer producing all-ages benefits for charities and disaster relief.

World traveler to 12 countries living in several for years at a time. (Korea, Thailand and Mexico) and Hawaii.

**From:** [Nikki Kiakona](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] D-1 Testimony  
**Date:** Thursday, May 8, 2025 7:44:15 PM

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Aloha, my name is Nikki Kiakona, a resident of Hawai‘i Island, and I strongly oppose Item D-1.

I urge you to deny the Final Environmental Impact Statement and reject the lease renewal at Pōhakuloa.

For over 65 years, the military has bombed and contaminated this sacred ‘āina. Like Kaho‘olawe and Makua, Pōhakuloa has been desecrated under the false promise of stewardship. Our ‘āina is not a war zone.

While 29,000 Native Hawaiians wait for land, military personnel are housed across our islands with government support. This is injustice.

Restore Pōhakuloa. Deny the lease. Deny the FEIS.

Mahalo.

Nikki Kiakona

**From:** [Kalani Kim](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Testimony for Agenda item D-1  
**Date:** Thursday, May 8, 2025 4:30:56 PM

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Aloha Chair Case and Members of the Board,

I strongly oppose the U.S. Army's Final Environmental Impact Statement for Pōhakuloa. For 60 years, the Army has caused environmental and cultural harm — wildfires, depleted uranium, and the destruction of irreplaceable 'āina — and paid just \$1 for the land. This EIS does not address these harms or offer a real plan for cleanup. If the Army cannot restore the land, they should not be allowed to stay on it. Please reject this EIS.

Mahalo,

Kalani Kim  
Kingdom of Hawaii

**From:** [Diana Kobayashi](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Pōhakuloa  
**Date:** Thursday, May 8, 2025 8:10:17 PM

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Aloha Land Board Members:

I am writing to express my strong opposition to the U.S. Army's proposed retention of leased lands at Pōhakuloa Training Area, and to urge the land board to reject the Army's EIS.

Pōhakuloa is not just a piece of land—it is a wahi pana, a sacred and storied place, home to irreplaceable Native Hawaiian cultural sites and some of Hawai'i's most endangered species. The Army has not demonstrated the capacity or will to serve as a proper steward of this land, and the FEIS fails to meaningfully address these concerns.

For example, the Army's actions have already resulted in the burning of nearly 20,000 acres, including designated critical habitat for native flora and fauna. This is unacceptable. Additionally, the ongoing use of live-fire and bombing in the impact area raises serious concerns about environmental contamination, safety, and long-term degradation of both the land and water.

Military training activities of this scale are simply not compatible with conservation, cultural integrity, or aloha 'āina. Enough is enough.

The EIS is insufficient and should be rejected on several grounds:

Inadequate Environmental and Cultural Impact Analysis

Lack of a sufficient plan to mitigate impacts to cultural and natural resources

Concerns about depleted uranium on the site have gone unaddressed

Military usage is incompatible with the conservation district designation

The approval of the EIS ultimately conflicts with the BLNR's constitutional duty mālama 'āina

I urge the members of the land board to respect the land, the culture, and

the people of Hawai'i by rejecting the Army's FEIS for Pōhakuloa. It's time to return these lands and begin a real process of healing and restoration.

Sincerely,  
Diana Kobayashi  
Waimea, Hawaii



**From:** [Sunnie Kupahu](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Reject the army eis!  
**Date:** Thursday, May 8, 2025 4:34:34 PM

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#### WHY REJECT THE ARMY'S EIS?

The State has a Constitutional Obligation to Malama 'Aina -

In Kahaulelio v. DLNR, 2019, the Hawaii Supreme Court found that the State of Hawaii breached its constitutional trust duties by failing to:

- Reasonably monitor and inspect trust lands at Pohakuloa leased to the U.S. military;
- Ensure compliance with cleanup and safety provisions in the lease;
- Take action after learning of possible contamination or violations;
- Document efforts and provide transparency to the public.

Pōhakuloa is a wahi pana, a sacred and storied place, home to irreplaceable Native Hawaiian cultural sites and some of our most endangered species. The Army has burned nearly 20,000 acres, including designated critical habitat for native flora and fauna.

THE ARMY HAS NOT PROVIDED A SUFFICIENT PLAN FOR MITIGATING THE ENVIRONMENTAL AND CULTURAL IMPACTS!

Aloah Sunnie Kupahu  
BLN HEARING - FRIDAY, MAY  
Sent from my iPhone

May 8, 2025

Re: Final Environmental Impact Statement (EIS) for Army Training Land Retention at Pōhakuloa Training Area.

Dear Chair Chang and the Members of the State of Hawai'i Board of Land and Natural Resources,

Founded in 1968, the Kona-Kohala Chamber of Commerce is dedicated to enhancing the quality of life for our community through a strong, sustainable economy on Hawai'i Island. Representing 460 member businesses and organizations, our mission is to provide leadership and advocacy for a successful business environment in West Hawai'i.

**The Kona-Kohala Chamber supports the U.S. military's training mission and land retention at the U.S. Army Garrison Pōhakuloa Training Area (PTA).**

Year-round training at PTA is essential for maintaining operational readiness and preparing our service members for the complex challenges they face across the Indo-Pacific. Its unique terrain, scale, and location make it an irreplaceable asset for joint military operations and mission-critical coordination.

Beyond its strategic role, PTA also provides crucial connections to our Hawai'i Island community by bolstering the local economy through jobs and utilizing local businesses for a variety of support services. Additionally, they serve as first responders in a remote area on the island, while standing in partnership with local firefighters to keep the community safe.

Our leadership has toured the site on multiple occasions, and we recognize the importance of this State-owned land and the PTA's lease. This parcel is essential to the training mission and includes substantial infrastructure investments, allowing access between U.S. Government-owned lands and maximizing the use of the impact area.

**We respectfully request that the Board accept the Final Environmental Impact Statement** for the Army Training Land Retention at Pōhakuloa Training Area on the island of Hawai'i.

Sincerely,



Wendy J. Laros, President and CEO  
Kona-Kohala Chamber of Commerce

**From:** [jake.leclerc@me.com](mailto:jake.leclerc@me.com)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Pōhakuloa Late Testimony  
**Date:** Thursday, May 8, 2025 9:43:51 PM

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Dear Chair Chang and Members of the Board of Land and Natural Resources,

My name is Jake and I am soon to be a graduate of the Richardson School of Law. I respectfully urge you to reject the Final Environmental Impact Statement (FEIS) in Item D-1 regarding the U.S. Army's proposed retention of Pōhakuloa.

The evidence clearly demonstrates that this FEIS is critically deficient. The diligent staff at the DLNR have identified numerous shortcomings: it lacks required biological and archaeological surveys, ignores environmental impacts on federal lands, and dismisses substantial concerns about endangered species. The document also fails to adequately address the documented presence of depleted uranium and other contaminants from decades of military activities.

Pōhakuloa is recognized as an area of exceptional environmental and cultural significance. It contains critical habitat for endangered species and irreplaceable historical sites. Sound environmental policy and responsible land management principles dictate that such areas warrant the highest standard of protection and the most thorough assessment before any decision about their future use.

The Board has a constitutional responsibility as steward of Hawaii's public trust resources. Accepting an incomplete FEIS would set a troubling precedent for future environmental reviews and potentially expose these valuable lands to irreversible damage.

I urge you to insist on a complete and accurate assessment that meets all legal requirements before making decisions that will affect these lands for generations to come.

Thank you for the opportunity to testify.

Sincerely,

Jake Leclerc

**From:** [Camellia Lee](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] I call on BLNR to Reject the Army's FEIS: Unanswered Questions and Ongoing Harms at Pōhakuloa  
**Date:** Thursday, May 8, 2025 7:11:12 PM

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Aloha Members of the Board of Land and  
Natural Resources,

Please REJECT the Army's final Environmental  
Impact Statement (Agenda item D-1) for their  
proposal to continue to occupy 22,750 acres of  
State land at Pōhakuloa Training Area on  
Hawai'i island ("PTA") for an undetermined  
amount of time and conditions.

The Board should require the Army to provide  
the following information to assist with the  
Board's future decision making on any "real  
estate" proposal for PTA:

(1) Contamination from past, present, and  
future military actions.

a. The FEIS discloses significant  
lead and heavy metal  
contamination in PTA lands caused  
by live fire training. The Army's  
surface soil sampling detected the  
following in site soils: antimony,  
arsenic, cobalt, copper, iron, 1-  
methylnaphthalene, lead,  
manganese, naphthalene,  
selenium, silver, total petroleum  
hydrocarbons (TPH) as diesel  
range organics (DRO) and residual  
range organics, and zirconium. **V1  
at 3-106**

b. The Army said there's no

significant impact because low rainfall means the contamination won't spread much and the aquifer is deep. But the Army also concedes "shallower aquifers" were supposed to be tested, but weren't. It's unacceptable to claim there is no significant impact when areas that are more likely to be affected haven't been studied. **V1 at 3-193**

c. The EPA pointed out PTA soils are highly permeable and some compounds are highly soluble and won't be absorbed into the soil. The EPA asked for soil sampling analysis to show how the Army knows contamination hasn't spread. The Army responded it has not sampled all of its lands "to determine the presence or absence of munitions constituents." **V2 at D-210**

d. The FEIS does not address logical questions. How can existing and future contamination be removed? Will it be removed? How much has it already spread into the soils, vegetation, and animal life? How much worse will it get with continued Army operations?

(2) Potential and means to restore these lands.

a. *Can* the Army clean up these lands? How? To what degree will the lands be remediated? What

happens if they can't do it? In response to these questions, the Army refers to FEIS section 3.5.6, which says "cleanup and restoration . . . are not part of the Proposed Action" and "future cleanup and restoration requirements, standard processes, and associated cost are unknown."

**V1 at 3-122**

b. The existing leases only require: "Weapons and shells used in connection with training activities are to be removed to the extent that technical and economic capability exists and provided that expenditure for removal would not exceed the fair market value of the land." **DEIS V.1 at 3-14** (emphasis added). Left unchallenged, the Army could simply say that it's too expensive to clean up and leave their mess behind – in fact, the inclusion of such language incentivizes them to do so.

c. The Army said it will comply with the "Comprehensive Environmental Response, Compensation, and Liability Act" (CERCLA), which requires remedial action concerning stored hazardous substances, "necessary to protect human health and the environment with respect to any such substance remaining on the property has

been taken before” transferring the land back. However, the Army will not be clear on what this will mean, changing its stance on whether it stores hazardous substances on state lands (see #3c) and refusing to disclose any remediation actions.

(3) Army is withholding information on accumulating contamination.

a. In addition to the harm that has already occurred, how much worse will land contamination get with continued Army operations? What practices does the Army follow to prevent munitions contaminants from accumulating? The Army says it follows Standard Operating Procedures that are not available for public disclosure. **V2 at D-211** The EIS only gives a vague summary. **V2 at E-15 & E-16**

b. The EIS does not tell us how much contamination has accumulated, despite these procedures, and its impacts.

c. KAHEA asked about PTA’s hazardous waste spill risks. The Army responded by: (1) telling KAHEA to file a Freedom of Information Act request for the information, (2) deleting the section describing hazardous waste storage on PTA State lands. Has

hazardous waste spilled on state lands? Where are these records?

(4) Why can't the Army start cleaning up now?

a. The state Department of Health ("DOH") commented "There is no need for the Army to wait for the end of the lease period to address known and potential contamination under [federal laws]. Sites identified in the first and second Draft EIS documents . . . that are on state land and no longer within currently active range locations should begin the cleanup process as soon as possible." **V2 at D-223**

b. The Army flagged this comment as "not resolved".

(5) Have contaminants entered groundwater?  
How does the Army know either way?

a. The Army says there's no evidence that it has, but also "[g]roundwater quality data are limited"; researchers recommended sampling groundwater in shallower aquifers; and no one has done this sampling or analysis. **V1 at 3-193**

b. Without completing the research, how can the Army discount the spread of contaminants, especially highly soluble perchlorate, into these water bodies?



(6) Could contaminants have impacts on human health?

- a. DHHL “feel[s] strongly” that the Army should do long-term air-quality and water-table testing at PTA. **V2 at D-220** The Army declined, pointing to a one-year air quality monitoring program in 2007 that did not find levels outside standards and that the aquifer is very deep. However, the Army admits there is a shallow aquifer that has not been tested despite recommendations to do so.
- b. The FEIS is inconsistent on this issue. It discloses there are “potentially complete exposure pathways for human receptors from contaminants within the State-owned land surface soils” but because the same is not true for water and sediment, contaminants are “unlikely to impact public health.” **V1 at 3-107**
- c. The FEIS acknowledges “airborne concentrations of lead on [Department of Defense] firing ranges have exceeded the Occupational Safety and Health Administration permissible exposure limit for some job duties, which might lead to increased blood lead levels”. **V1 at 3-117** Yet there is no mitigation or study

proposed to prevent this from happening at PTA.

(7) Cumulative impacts of the entirety of PTA

a. The FEIS only considers impacts of continuing military training on 22,750 acres of State lands, even though these training operations are inextricable from the entire 132,000 acres of PTA. What are the true cumulative impacts of these operations? How does PTA as a whole impact Hawai'i's economy? Housing availability? Native species supposedly "habituated" to the sound of military training and potentially exposed to munitions contaminants?

b. What alternatives are foreclosed by using these lands and resources for military training? Land Board staff also point out this is missing from the FEIS **Submittal at 23**

(8) Fire impacts are worse than disclosed.

a. Between 1975 and August 2024, there were 1,261 fires of which 1007 fires were due to military activities. **V1 at 3-283.** Pōhakuloa is a TERRIBLE, fire prone place to do military training. Yet, the Army rejects proposals to relocate training - only mitigation for monitoring fires and inhibiting invasive grass growth.

b. The Department of Interior pointed out the “entire population of Palila are restricted to the west slope of Mauna Kea and are extremely vulnerable to an extinction event such as a wildland fire, as happened in 2021.” **V2 at D-214**

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a. The EIS discloses the Army does not have data on its greenhouse gas emissions (“GHGs”) for activities on State lands. Why not? The U.S. military reportedly produces more GHGs than the entire nations of Portugal or Denmark,[1] but does not track its own emissions?

b. At the same time, the FEIS concludes the Army’s “generation of GHGs has not meaningfully contributed to the impacts of global or local climate change.” **V1 at 4-16** How can it reach this conclusion if it does not have data?

(10) Existing mitigation proven insufficient by ongoing impacts.

a. The FEIS concedes ongoing impacts from past PTA operations - which the Army proposes to continue indefinitely. **V1 at 4-11 - 4-25**

b. And yet, proposed new mitigation solely consists in studies, reporting, monitoring, and potentially deploying a biological control directed at reducing wildfires and to formalize an access agreement with Native Hawaiian groups and individuals.

**V1 at 3-220** As noted by DLNR staff, the Army should have done these studies as part of this EIS - not afterwards.

c. For all other impacts, the Army will just continue existing mitigation measures. But these are not working because impacts continue to accrue, particularly to cultural resources as pointed out by Land Board staff who disagree that Army cultural resource programs are protecting these resources.

**Submittal at 23**

d. The FEIS excluded many lands from its survey of historic properties, including iwi kupuna, on state lands. **V1 at Fig. 3-8** How can the Army assess impacts to cultural resources if it does not even know if they are there?

Far from providing a comprehensive reference, the Army's FEIS obstinately refuses to disclose the foreseeable harms their actions cause to Hawai'i's land, water, cultural resources, and its people. If the Army does not know, the Board

should reject the FEIS and require the Army to conduct necessary investigations as part of this environmental review process and not relegate these important issues to some unaccounted-for future scenario.

Mahalo for considering my testimony,

Camellia Lee

李道玲 Camellia Dao-Ling McDermott Lee

pronouns | they/she

website | [www.camelliadaoling.com](http://www.camelliadaoling.com)

meditations | [Insight Timer](#)

books | [Elemental Healing](#) • [Listen to the Ancestors](#)

education | [Yo San University](#) • [Brown University](#)

**From:** [Jenn Lee](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Calling on BLNR to Reject the Army's FEIS  
**Date:** Thursday, May 8, 2025 6:04:18 PM

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Aloha Land Board Members:

I am writing to express my strong opposition to the U.S. Army's proposed retention of leased lands at **Pōhakuloa Training Area**, and to **urge the land board to reject the Army's EIS**.

Pōhakuloa is not just a piece of land—it is a **wahi pana**, a sacred and storied place, home to irreplaceable **Native Hawaiian cultural sites** and some of Hawai'i's most **endangered species**. The Army has not demonstrated the capacity or will to serve as a proper steward of this land, and the FEIS fails to meaningfully address these concerns.

For example, the Army's actions have already resulted in the **burning of nearly 20,000 acres**, including designated **critical habitat** for native flora and fauna. This is unacceptable. Additionally, the ongoing use of live-fire and bombing in the impact area raises serious concerns about **environmental contamination, safety, and long-term degradation** of both the land and water.

Military training activities of this scale are simply not compatible with conservation, cultural integrity, or **aloha 'āina**. Enough is enough.

The FEIS is insufficient and should be rejected on several grounds:

- Inadequate Environmental and Cultural Impact Analysis
- Lack of a sufficient plan to mitigate impacts to cultural and natural resources
- Concerns about depleted uranium on the site have gone unaddressed
- Military usage is incompatible with the conservation district designation
- The approval of the EIS ultimately conflicts with the BLNR's constitutional duty mālama 'āina

I urge the members of the land board to respect the land, the culture, and the people of Hawai'i by **rejecting the Army's FEIS** for Pōhakuloa. It's time to return these lands and begin a real process of healing and restoration.

Sincerely,  
Jennifer Lee

Hawai'i Island

Sent with [Proton Mail](#) secure email.



May 8, 2025

Hawai'i Department of Land and Natural Resources

Kalanimoku Bldg. 1151 Punchbowl Street

**Re: Agenda Item D(1) Decision Making Regarding the Acceptance or Non-Acceptance of the Final Environmental Impact Statement (EIS) for the Army Training Land Retention at Pōhakuloa Training Area (PTA), Island of Hawai'i**

The ACLU of Hawai'i is writing with concerns about the potential retention of land at Pōhakuloa by the United States military, given our mandate to protect constitutional rights owed to the land and the people under the Hawai'i Constitution. The U.S. military owns and leases extensive land in Pōhakuloa on Hawai'i island. The Pōhakuloa Training Area (PTA) consists of 80,000 acres of land seized by the federal government during World War II and 23,000 acres of Hawaiian crown lands leased from the state in 1964 for a term of 65 years.<sup>1</sup> The lease cost only \$1, an insultingly low amount that in any other contract would be considered unconscionable. Since then, the U.S. Marines have used Pōhakuloa for training exercises and war games like "RIMPAC" (Rim of the Pacific Exercises).<sup>2</sup> While the value of these exercises is questionable, the harm that the military presence has imposed on Pōhakuloa is undeniable.

Although the Pōhakuloa lease contains conditions requiring the military to preserve the land and regularly remove munitions, the military has failed to adequately protect the land from serious harm. This includes depleted uranium and other chemicals left on the land by the military.<sup>3</sup> In 2022, the Army proposed a renewal of its lease for 22,750 acres of land in Pōhakuloa and released a draft EIS statement.<sup>4</sup> In the second draft EIS statement, the Army noted that its activities in Pōhakuloa had caused 892 fires between 1975 and 2024, an average of eighteen (18) fires per year. This included the Leilani Fire, which burned around 17,000 acres of land in August of 2022. 12,458 acres burned by the fire was state-owned land outside the PTA boundary. Within the PTA, 2,880 acres of land that burned were state-owned as well.

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<sup>1</sup> <https://www.civilbeat.org/2019/08/hawaii-has-failed-to-take-care-of-pohakuloa/>

<sup>2</sup> <https://www.hawaiinewsnow.com/2024/06/28/worlds-largest-international-maritime-exercises-gets-underway-across-hawaii/>

<sup>3</sup> <https://www.civilbeat.org/2019/08/hawaii-has-failed-to-take-care-of-pohakuloa/>

<sup>4</sup> <https://home.army.mil/hawaii/ptaeis/project-home>

The fire had severe environmental consequences: “the Leilani fire affected 5,254 acres of threatened and endangered species habitat at PTA.”<sup>5</sup> The Army accepted responsibility not only for the fire, but also for the unexploded ordnance in Pōhakuloa that limited its ability to fight the fire (“On the night of July 20, 2022, a unit training at PTA reported a fire in the PTA impact area following a training exercise involving pyrotechnic munitions. The Range Division and fire crews were alerted and monitored the fire because fires in the impact area are not actively fought due to health and safety concerns related to UXO.”)<sup>6</sup> These are serious destructive impacts that must be considered by DLNR and its Board of Land and Natural Resources before moving forward with extending military presence in Pōhakuloa.

Pōhakuloa has already been the subject of a legal case that found that Hawai‘i DLNR violated its public trust duties by not inspecting and acting on the Army’s misuse of the land.<sup>7</sup> It is clear that the Army has not only mismanaged but actively destroyed the land. The DLNR cannot fulfill its responsibility to care for public lands in Pōhakuloa while continuing to entrust that land to the U.S. military.

In *Kauai Springs*, the Hawai‘i Supreme Court makes clear that agencies must apply a presumption in favor of public use, access, enjoyment, and resource protection for public lands.<sup>8</sup> Allowing the Army to retain land at the Pōhakuloa Training Area would significantly limit public use, access, and enjoyment and threaten the natural environment. Further, *Ching v. Case* makes clear that state agencies have a duty to Aloha ‘Āina, a cultural, legal, and spiritual responsibility to steward and care for the land.<sup>9</sup> The court in *Ching* accordingly found a constitutional obligation to ensure that lands leased to the military are protected from damage and contamination, pursuant to the terms of these leases and the State’s public trust duty.

The historical record is clear. For over 60 years, the army has proven itself a reckless tenant, violating lease terms and destroying the land and its inhabitants. The Leilani fire and unexploded ordnance are just the latest examples.

Given the extensive history of harm done by the U.S. military on Hawaiian lands, the Board of Land and Natural Resources risks exposing itself and any contract with the military to liability if it fails its duty to Aloha ‘Āina. Unless extensive changes to the use of the land and compliance

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<sup>5</sup> Draft EIS Volume 1: [https://home.army.mil/hawaii/7417/1338/8635/ATLR-PTA\\_SDEIS\\_Vol\\_I\\_PUBLIC.pdf](https://home.army.mil/hawaii/7417/1338/8635/ATLR-PTA_SDEIS_Vol_I_PUBLIC.pdf)  
Page 3-34

<sup>6</sup> Id.

<sup>7</sup> <https://www.aljazeera.com/news/2018/5/13/native-hawaiians-resist-bombing-of-their-sacred-lands#ixzz8wKP2r5HH>

<sup>8</sup> *Kaua‘i Springs, Inc. v. Plan. Comm’n*, 324 P.3d 951, 984–85 (Haw. 2014)

<sup>9</sup> D. Kapua‘ala Sproat and MJ Palau-McDonald, *The Duty to Aloha ‘Āina: Indigenous Values as a Legal Foundation for Hawai‘i’s Public Trust*, 56, Harv. C.R.-C.L. L. Rev., 525-576 (2022); Noelani Goodyear-Ka‘O‘opua, *The Seeds We Planted: Portraits Of A Native Hawaiian Charter School* 31–34 (2013);



monitoring by the state are made, continuing the army's tenancy at Pōhakuloa is inconsistent with the DLNR's legally imposed constitutional duties under the Hawai'i Constitution.

**Questions Regarding the Final EIS:**

1. To what extent is the lease of land to the United States Army consistent with the constitutional public trust responsibilities to conserve and protect Hawai'i's land?
2. Is there a benefit conferred specifically towards environmental resources by such a contract that would outweigh harms done to the land?
3. Given the serious environmental harms that the U.S. Army has committed on Hawai'i land, what guarantees has the Board of Land and Natural Resources obtained that such harms will not continue and what plan does it have to ensure compliance?
4. *In re Water Use Permit Applications*, 94 Haw. 97, 132 (Haw. 2000) made clear that the state "must take the initiative in considering, protecting, and advancing public rights in the resource at every stage of the planning and decision-making process." What calculations were used or will be used to determine the value of the proposed lease of land, and how does this valuation advance public rights in the land resource? How will the resulting funds be used to advance the public interest?

We urge the Department of Land and Natural Resources to reject the EIS. This will fulfill the DLNR's trust obligations to steward and care for public lands, to avert disasters like devastating fires, and to protect the people and threatened and endangered species of Hawai'i. Instead of a lease, we ask that DLNR require the U.S. to clean up environmental hazards it has created.

Mahalo,

Carrie Ann Shirota, Policy Director  
(808) 380-7052  
[cshirota@acluhawaii.org](mailto:cshirota@acluhawaii.org)

Nathan Lee, Policy Fellow  
(808) 380-5422  
[nlee@acluhawaii.org](mailto:nlee@acluhawaii.org)

*The mission of the ACLU of Hawai'i is to protect the fundamental freedoms enshrined in the U.S. and State Constitutions. The ACLU of Hawai'i fulfills this through legislative, litigation, and public education programs statewide. The ACLU of Hawai'i is a non-partisan and private non-profit organization founded in 1965 that provides its services at no cost to the public and does not accept government funds.*

**From:** [Misha Lococo](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Agenda Item D-1  
**Date:** Thursday, May 8, 2025 4:54:08 PM

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Aloha,

My name is Misha Lococo, I am a resident of Makawao, Maui. I am writing today to ask you to please vote NO on Agenda Item D-1.

The Army ignored DLNR staff, skipped essential surveys, and refused to consult Hawaiian practitioners. This is not a lawful or respectful process. Our people and 'āina deserve better.

Again, please vote NO on Agenda Item D-1.

Me ka mahalo a ha'aha'a,  
Misha Lococo

**From:** [Daphne Lukela](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] POHAKULOA TESTIMONY  
**Date:** Thursday, May 8, 2025 4:53:50 PM

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Aloha mai kākou,

Raised in Lahaina, I remember standing on the shoreline and watching the sky over Kaho‘olawe turn dark with smoke. The explosions echoed across the ocean like a beating drum. Even as a child, it felt like something sacred was being violated.

Kaho‘olawe is not empty land. It is part of our ancestry, our spiritual geography. Our people fished in its waters, chanted its name, and honored it as Kanaloa. Every bomb that struck that island was an assault not just on the land, but on us as a people.

The pain of that time lingers. It lives in our memories, in the stories we pass down. This island was never a target—it was ‘āina kapu. We must remember what happened, and we must never allow it to happen again.

Mahalo, Sincerely  
Maryann L Kahahane

Sent from my iPhone

**From:** [Gigi Mano](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Calling on BLNR to Reject the Army's FEIS: Unanswered Questions and Ongoing Harms at Pōhakuloa  
**Date:** Thursday, May 8, 2025 5:10:32 PM

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May 8, 2025

Aloha Members of the Board of Land and Natural Resources,

Please REJECT the Army's final Environmental Impact Statement (Agenda item D-1) for their proposal to continue to occupy 22,750 acres of State land at Pōhakuloa Training Area on Hawai'i island ("PTA") for an undetermined amount of time and conditions.

The Board should require the Army to provide the following information to assist with the Board's future decision making on any "real estate" proposal for PTA:

(1) Contamination from past, present, and future military actions.

a. The FEIS discloses significant lead and heavy metal contamination in PTA lands caused by live fire training. The Army's surface soil sampling detected the following in site soils: antimony, arsenic, cobalt, copper, iron, 1-methylnaphthalene, lead, manganese, naphthalene, selenium, silver, total petroleum hydrocarbons (TPH) as diesel range organics (DRO) and residual range organics, and zirconium. **V1 at 3-106**

b. The Army said there's no significant impact because low rainfall means the contamination won't spread much and the aquifer is deep. But the Army also concedes "shallower aquifers" were supposed to be tested, but weren't. It's unacceptable to claim there is no significant impact when areas that are more likely to be affected haven't been studied. **V1 at 3-193**

c. The EPA pointed out PTA soils are highly permeable and some compounds are highly soluble and won't be absorbed into the soil. The EPA asked for soil sampling analysis to show how the Army knows contamination hasn't spread. The Army responded it has not sampled all of its lands "to determine the presence or absence of munitions constituents." **V2 at D-210**

d. The FEIS does not address logical questions. How can existing and future contamination be removed? Will it be removed? How much has it already spread into the soils, vegetation, and animal life? How much worse will it get with continued Army operations?

(2) Potential and means to restore these lands.

a. *Can* the Army clean up these lands? How? To what degree will the lands be remediated? What happens if they can't do it? In response to these questions, the Army refers to FEIS section 3.5.6, which says "cleanup and restoration . . . are not part of the Proposed Action" and "future cleanup and restoration requirements, standard processes, and associated cost are unknown." **V1 at 3-122**

b. The existing leases only require: "Weapons and shells used in connection with training activities are to be removed to the extent that technical and economic capability exists and provided that expenditure for removal would not exceed the fair market value of the land." **DEIS V.1 at 3-14** (emphasis added). Left unchallenged, the Army could simply say that it's too expensive to clean up and leave their mess behind – in fact, the inclusion of such language incentivizes them to do so.

c. The Army said it will comply with the "Comprehensive Environmental Response, Compensation, and Liability Act" (CERCLA), which requires remedial action concerning stored hazardous substances, "necessary to protect human health and the environment with respect to any such substance remaining on the property has been taken before" transferring the land back. However, the Army will not be clear on what this will mean, changing its stance on whether it stores hazardous substances on state lands (see #3c) and refusing to disclose any remediation actions.

(3) Army is withholding information on accumulating contamination.

a. In addition to the harm that has already occurred, how much worse will land contamination get with continued Army operations? What practices does the Army follow to prevent munitions contaminants from accumulating? The Army says it follows Standard Operating Procedures

that are not available for public disclosure. **V2 at D-211** The EIS only gives a vague summary. **V2 at E-15 & E-16**

b. The EIS does not tell us how much contamination has accumulated, despite these procedures, and its impacts.

c. KAHEA asked about PTA's hazardous waste spill risks. The Army responded by: (1) telling KAHEA to file a Freedom of Information Act request for the information, (2) deleting the section describing hazardous waste storage on PTA State lands. Has hazardous waste spilled on state lands? Where are these records?

(4) Why can't the Army start cleaning up now?

a. The state Department of Health ("DOH") commented "There is no need for the Army to wait for the end of the lease period to address known and potential contamination under [federal laws]. Sites identified in the first and second Draft EIS documents . . . that are on state land and no longer within currently active range locations should begin the cleanup process as soon as possible." **V2 at D-223**

b. The Army flagged this comment as "not resolved".

(5) Have contaminants entered groundwater? How does the Army know either way?

a. The Army says there's no evidence that it has, but also "[g]roundwater quality data are limited"; researchers recommended sampling groundwater in shallower aquifers; and no one has done this sampling or analysis. **V1 at 3-193**

b. Without completing the research, how can the Army discount the spread of contaminants, especially highly soluble perchlorate, into these water bodies?

(6) Could contaminants have impacts on human health?

a. DHHL "feel[s] strongly" that the Army should do long-term air-quality and water-table testing at PTA. **V2 at D-220** The Army declined, pointing to a one-year air quality monitoring program in 2007 that did not find levels outside standards and that the aquifer is very deep. However, the Army admits there is a shallow aquifer that has not been tested

despite recommendations to do so.

b. The FEIS is inconsistent on this issue. It discloses there are “potentially complete exposure pathways for human receptors from contaminants within the State-owned land surface soils” but because the same is not true for water and sediment, contaminants are “unlikely to impact public health.” **V1 at 3-107**

c. The FEIS acknowledges “airborne concentrations of lead on [Department of Defense] firing ranges have exceeded the Occupational Safety and Health Administration permissible exposure limit for some job duties, which might lead to increased blood lead levels”. **V1 at 3-117**  
Yet there is no mitigation or study proposed to prevent this from happening at PTA.

(7) Cumulative impacts of the entirety of PTA

a. The FEIS only considers impacts of continuing military training on 22,750 acres of State lands, even though these training operations are inextricable from the entire 132,000 acres of PTA. What are the true cumulative impacts of these operations? How does PTA as a whole impact Hawai‘i’s economy? Housing availability? Native species supposedly “habituated” to the sound of military training and potentially exposed to munitions contaminants?

b. What alternatives are foreclosed by using these lands and resources for military training? Land Board staff also point out this is missing from the FEIS **Submittal at 23**

(8) Fire impacts are worse than disclosed.

a. Between 1975 and August 2024, there were 1,261 fires of which 1007 fires were due to military activities. **V1 at 3-283**. Pōhakuloa is a TERRIBLE, fire prone place to do military training. Yet, the Army rejects proposals to relocate training - only mitigation for monitoring fires and inhibiting invasive grass growth.

b. The Department of Interior pointed out the “entire population of Palila are restricted to the west slope of Mauna Kea and are extremely vulnerable to an extinction event such as a wildland fire, as happened in

(9) No disclosure of greenhouse gases

- a. The EIS discloses the Army does not have data on its greenhouse gas emissions (“GHGs”) for activities on State lands. Why not? The U.S. military reportedly produces more GHGs than the entire nations of Portugal or Denmark,[1] but does not track its own emissions?
- b. At the same time, the FEIS concludes the Army’s “generation of GHGs has not meaningfully contributed to the impacts of global or local climate change.” **V1 at 4-16** How can it reach this conclusion if it does not have data?

(10) Existing mitigation proven insufficient by ongoing impacts.

- a. The FEIS concedes ongoing impacts from past PTA operations - which the Army proposes to continue indefinitely. **V1 at 4-11 - 4-25**
- b. And yet, proposed new mitigation solely consists in studies, reporting, monitoring, and potentially deploying a biological control directed at reducing wildfires and to formalize an access agreement with Native Hawaiian groups and individuals. **V1 at 3-220** As noted by DLNR staff, the Army should have done these studies as part of this EIS - not afterwards.
- c. For all other impacts, the Army will just continue existing mitigation measures. But these are not working because impacts continue to accrue, particularly to cultural resources as pointed out by Land Board staff who disagree that Army cultural resource programs are protecting these resources. **Submittal at 23**
- d. The FEIS excluded many lands from its survey of historic properties, including iwi kupuna, on state lands. **V1 at Fig. 3-8** How can the Army assess impacts to cultural resources if it does not even know if they are there?

Far from providing a comprehensive reference, the Army’s FEIS obstinately refuses to disclose the foreseeable harms their actions cause to Hawai’i’s land, water, cultural resources, and its people. If the Army does not know, the Board should reject the FEIS and require the Army to conduct necessary investigations as part of this



environmental review process and not relegate these important issues to some unaccounted-for future scenario.

Mahalo for considering my testimony.

Georgina R. Mano

**From:** [ANJAH](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Testimony Opposing the Final Environmental Impact Statement (EIS) for U.S. Military Use of Pōhakuloa Training Area  
**Date:** Thursday, May 8, 2025 6:25:09 PM

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Chair Dawn Chang  
Department of Land and Natural Resources  
& Honorable Committee Members

Aloha e Chair Chang and Esteemed Committee Members,

I write today as a concerned Kanaka Maoli and steward of this 'āina to urge your firm rejection of the Final Environmental Impact Statement (EIS) submitted in support of continued military use of the Pōhakuloa Training Area (PTA).

Pōhakuloa is not merely land. It is sacred—a wahi pana rooted in ancestral knowledge, ceremony, and responsibility. For over 70 years, this sacred landscape has endured relentless degradation under U.S. military occupation. The submission of this EIS represents not responsible stewardship, but a continuation of the desecration and dispossession of our homeland.

I offer this testimony on behalf of our lāhui to raise four urgent and interconnected concerns:

**1. Continued Desecration of Sacred Sites**

Pōhakuloa is rich in cultural and spiritual significance, housing ancient trails, heiau, and iwi kūpuna. Military activity has repeatedly bombed and bulldozed these sacred spaces, despite legal and ethical protections. This is a violation not only of Native Hawaiian religious and cultural rights but of the DLNR's kuleana to mālama 'āina.

**2. Environmental Irreversibility**

The EIS gravely underestimates the environmental damage caused by decades of military activity. The use of live ammunition, chemical contaminants, and heavy artillery has poisoned soil, threatened endangered species, and disrupted fragile ecosystems. No mitigation plan within the EIS adequately restores what has already been lost—let alone justifies further occupation.

**3. Illegitimacy of U.S. Military Occupation**

The U.S. military presence at Pōhakuloa stems from an illegal overthrow and unlawful annexation of the Hawaiian Kingdom. Therefore, its continued use of Hawaiian lands for destructive military purposes is a direct violation of international law, self-determination, and the political rights of Kanaka Maoli.

**4. Failure to Uphold the Public Trust Doctrine**

As trustees of the land under Article XI, Section 1 of the Hawai'i State Constitution, DLNR is legally bound to conserve and protect Hawai'i's natural and cultural resources for present and future generations. Approving this EIS would be a failure of that trust—permitting further destruction rather than conservation.

In the face of pressure from federal agencies, I implore this committee to stand on the side of justice, pono, and true aloha 'āina. The legacy you leave will be remembered not by your deference to power, but by your courage to protect the most sacred and irreplaceable parts of our homeland.

The time to act is now. Reject this EIS. Return the land to its rightful caretakers. And let the healing of Pōhakuloa begin.

Me ka 'ōia'i'o,  
Illeanna Kaivaka

Kanaka Maoli

**From:** [Jamerry BCV](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] REJECT THE ARMY FEIS!!  
**Date:** Thursday, May 8, 2025 9:51:54 PM

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Hello Land Board Members:

I strongly oppose the U.S. Army's proposed retention of leased lands at **Pōhakuloa Training Area**, and **urge the land board to reject the Army's EIS**.

Pōhakuloa is one of the most sacred sites for Hawai'i and Native Hawaiians, a **wahi pana** that is home to irreplaceable **Native Hawaiian cultural sites** and some of Hawai'i's most **endangered species**. The ongoing use of live-fire and bombing in the area has already resulted in the burning of almost 20,000 acres, endangering the native fauna and flora and further contributing to environmental degradation of the land. The Army has disrespected and desecrated Pōhakuloa for decades and with the FEIS failing to properly address the concerns, it further showcases the army's complete carelessness in the treatment of these lands. There is no undoing this harm and no amount of FEIS revisions can be adequate – the only solution is the army's exit from **Pōhakuloa!**

The land must reject the army's FEIS and force the army to leave Pōhakuloa for the preservation and protection of Hawai'i's sacred lands and culture. It is time to return these lands! No to the Army!

Sincerely,  
Mariela V.

**From:** [Liza M. Marpuri](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Testimony Opposing the Final Environmental Impact Statement (EIS) for U.S. Military Use of Pōhakuloa Training Area  
**Date:** Thursday, May 8, 2025 6:38:26 PM

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To:  
Chair Dawn Chang  
Department of Land and Natural Resources  
& Honorable Committee Members

Aloha e Chair Chang and Esteemed Committee Members,

I write today as a concerned Kanaka Maoli and steward of this 'āina to urge your firm rejection of the Final Environmental Impact Statement (EIS) submitted in support of continued military use of the Pōhakuloa Training Area (PTA).

Pōhakuloa is not merely land. It is sacred—a wahi pana rooted in ancestral knowledge, ceremony, and responsibility. For over 70 years, this sacred landscape has endured relentless degradation under U.S. military occupation. The submission of this EIS represents not responsible stewardship, but a continuation of the desecration and dispossession of our homeland.

I offer this testimony on behalf of our lāhui to raise four urgent and interconnected concerns:

**1. Continued Desecration of Sacred Sites**

Pōhakuloa is rich in cultural and spiritual significance, housing ancient trails, heiau, and iwi kūpuna. Military activity has repeatedly bombed and bulldozed these sacred spaces, despite legal and ethical protections. This is a violation not only of Native Hawaiian religious and cultural rights but of the DLNR's kuleana to mālama 'āina.

**2. Environmental Irreversibility**

The EIS gravely underestimates the environmental damage caused by decades of military activity. The use of live ammunition, chemical contaminants, and heavy artillery has poisoned soil, threatened endangered species, and disrupted fragile ecosystems. No mitigation plan within the EIS adequately restores what has already been lost—let alone justifies further occupation.

**3. Illegitimacy of U.S. Military Occupation**

The U.S. military presence at Pōhakuloa stems from an illegal overthrow and unlawful annexation of the Hawaiian Kingdom. Therefore, its continued use of Hawaiian lands for destructive military purposes is a direct violation of international law, self-determination, and the political rights of Kanaka Maoli.

**4. Failure to Uphold the Public Trust Doctrine**

As trustees of the land under Article XI, Section 1 of the Hawai'i State Constitution, DLNR is legally bound to conserve and protect Hawai'i's natural and cultural resources for present and future generations. Approving this EIS would be a failure of that trust—permitting further destruction rather than conservation.

In the face of pressure from federal agencies, I implore this committee to stand on the side of justice, pono, and true aloha 'āina. The legacy you leave will be remembered not by your deference to power, but by your courage to protect the most sacred and irreplaceable parts

of our homeland.

The time to act is now. Reject this EIS. Return the land to its rightful caretakers. And let the healing of Pōhakuloa begin.

Me ka 'oia'i'o,

Liza Marpuri

Pleasanton, CA

Kanaka Oihi / Cultural Practitioner / Scholar / Descendant of na lii

[lizamarpuri@gmail.com](mailto:lizamarpuri@gmail.com)

**From:** [Keala Morrell](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Testimony for Agenda Item D-1  
**Date:** Thursday, May 8, 2025 6:22:51 PM

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Aloha mai kākou,

I am writing as someone who takes seriously our kuleana to care for Hawai'i's land and people. The Army's FEIS for Pōhakuloa does not meet the minimum standards of care or accountability.

The land has been bombed, burned, and contaminated for decades. The EIS leaves out known burial sites and fails to provide a clear plan for cleanup. If accepted, this EIS sets a precedent for more harm across Hawai'i.

As a steward of 'āina, I urge you to reject the EIS.

Me ka 'oia'i'o, Ke'ala Morrell

Ka'elepulu, Kailua, Ko'olaupoko, O'ahu

**From:** [Vitor Nogueira](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Opposing the Final Environmental Impact Statement (EIS) for U.S. Military Use of the Pōhakuloa Training Area  
**Date:** Thursday, May 8, 2025 5:56:00 PM

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Aloha e Chair Chang and Esteemed Committee Members,

I write today as a concerned Kanaka Maoli and steward of this 'āina to urge your firm rejection of the Final Environmental Impact Statement (EIS) submitted in support of continued military use of the Pōhakuloa Training Area (PTA).

Pōhakuloa is not merely land. It is sacred—a wahi pana rooted in ancestral knowledge, ceremony, and responsibility. For over 70 years, this sacred landscape has endured relentless degradation under U.S. military occupation. The submission of this EIS represents not responsible stewardship, but a continuation of the desecration and dispossession of our homeland.

I offer this testimony on behalf of our lāhui to raise four urgent and interconnected concerns:

**1. Continued Desecration of Sacred Sites**

Pōhakuloa is rich in cultural and spiritual significance, housing ancient trails, heiau, and iwi kūpuna. Military activity has repeatedly bombed and bulldozed these sacred spaces, despite legal and ethical protections. This is a violation not only of Native Hawaiian religious and cultural rights but of the DLNR's kuleana to mālama 'āina.

**2. Environmental Irreversibility**

The EIS gravely underestimates the environmental damage caused by decades of military activity. The use of live ammunition, chemical contaminants, and heavy artillery has poisoned soil, threatened endangered species, and disrupted fragile ecosystems. No mitigation plan within the EIS adequately restores what has already been lost—let alone justifies further occupation.

**3. Illegitimacy of U.S. Military Occupation**

The U.S. military presence at Pōhakuloa stems from an illegal overthrow and unlawful annexation of the Hawaiian Kingdom. Therefore, its continued use of Hawaiian lands for destructive military purposes is a direct violation of international law, self-determination, and the political rights of Kanaka Maoli.

**4. Failure to Uphold the Public Trust Doctrine**

As trustees of the land under Article XI, Section 1 of the Hawai'i State Constitution, DLNR is legally bound to conserve and protect Hawai'i's natural and cultural resources for present and future generations. Approving this EIS would be a failure of that trust—permitting further destruction rather than conservation.

In the face of pressure from federal agencies, I implore this committee to stand on the side of justice, pono, and true aloha 'āina. The legacy you leave will be remembered not by your deference to power, but by your courage to protect the most sacred and irreplaceable parts of our homeland.

The time to act is now. Reject this EIS. Return the land to its rightful caretakers. And let the healing of Pōhakuloa begin.

Me ka 'oia'i'o,



Vitor Nogueira  
Kailua, Oahu  
PreK-11th grade Teacher of 2 years  
Founder of Restorepono

Aloha oe, mahalo nui for your time.

**From:** [Kendra Obermaier](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Calling on BLNR to Reject the Army's FEIS: Unanswered Questions and Ongoing Harms at Pōhakuloa  
**Date:** Thursday, May 8, 2025 9:01:53 PM

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Aloha Members of the Board of Land and Natural Resources,

Please REJECT the Army's final Environmental Impact Statement (Agenda item D-1) for their proposal to continue to occupy 22,750 acres of State land at Pōhakuloa Training Area on Hawai'i Island ("PTA") for an undetermined amount of time and conditions. The final FEIS is not sufficient for determining the environmental impact of leasing nor does the ruling in the FEIS even match given the environmental analysis conducted. Here in Hawai'i it is understood that what happens mauka affects makai. Therefore, it is essential that we protect the health of our lands on the mauna so that the water and soil that feed our people and crops makai are clean. The information below shows how the FEIS is completely insufficient for considering the long-term environmental impacts of the activities that have occurred and would continue to occur with "leasing" the land called PTA. The mauna has been sacred land for centuries. The mauna has been a source of life - water, soil quality, native plants found nowhere else in the archipelago, cultural practice - for centuries. The mauna is where we hunt the meat that fed us the past month. How can we know the meat we eat is OK without knowing the impact of "PTA" on our wildlife and soil? Without health on the mauna, we cannot have a healthy rest of our island. Please REJECT this FEIS as completely insufficient for determining future environmental impact AND addressing existing environmental harm.

Specifically, the Board should require the Army to provide the following information to assist with the Board's future decision making on any "real estate" proposal for PTA:

(1) Contamination from past, present, and future military actions.

- a. The FEIS discloses significant lead and heavy metal contamination in PTA lands caused by live fire training. The Army's surface soil sampling detected the following in site soils: antimony, arsenic, cobalt, copper, iron, 1-methylnaphthalene, lead, manganese, naphthalene, selenium, silver, total petroleum hydrocarbons (TPH) as diesel range organics (DRO) and residual range organics, and zirconium. V1 at 3-106
- b. The Army said there's no significant impact because low rainfall means the contamination won't spread much and the aquifer is deep. But the Army also concedes "shallower aquifers" were supposed to be tested, but weren't. It's unacceptable to claim there is no significant impact when areas that are more likely to be affected haven't been studied. V1 at 3-193
- c. The EPA pointed out PTA soils are highly permeable and some compounds are highly soluble and won't be absorbed into the soil. The EPA asked for soil sampling analysis to show how the Army knows contamination hasn't spread. The Army responded it has not sampled all of its lands "to determine the presence or absence of munitions constituents." V2 at D-210
- d. The FEIS does not address logical questions. How can existing and future contamination be removed? Will it be removed? How much has it already spread into the soils, vegetation, and animal life? How much worse will it get with continued Army operations?

(2) Potential and means to restore these lands.

a. Can the Army clean up these lands? How? To what degree will the lands be remediated? What happens if they can't do it? In response to these questions, the Army refers to FEIS section 3.5.6, which says "cleanup and restoration . . . are not part of the Proposed Action" and "future cleanup and restoration requirements, standard processes, and associated cost are unknown." V1 at 3-122

b. The existing leases only require: "Weapons and shells used in connection with training activities are to be removed to the extent that technical and economic capability exists and provided that expenditure for removal would not exceed the fair market value of the land." DEIS V.1 at 3-14 (emphasis added). Left unchallenged, the Army could simply say that it's too expensive to clean up and leave their mess behind – in fact, the inclusion of such language incentivizes them to do so.

c. The Army said it will comply with the "Comprehensive Environmental Response, Compensation, and Liability Act" (CERCLA), which requires remedial action concerning stored hazardous substances, "necessary to protect human health and the environment with respect to any such substance remaining on the property has been taken before" transferring the land back. However, the Army will not be clear on what this will mean, changing its stance on whether it stores hazardous substances on state lands (see #3c) and refusing to disclose any remediation actions.

(3) Army is withholding information on accumulating contamination.

a. In addition to the harm that has already occurred, how much worse will land contamination get with continued Army operations? What practices does the Army follow to prevent munitions contaminants from accumulating? The Army says it follows Standard Operating Procedures that are not available for public disclosure. V2 at D-211 The EIS only gives a vague summary. V2 at E-15 & E-16

b. The EIS does not tell us how much contamination has accumulated, despite these procedures, and its impacts.

c. KAHEA asked about PTA's hazardous waste spill risks. The Army responded by: (1) telling KAHEA to file a Freedom of Information Act request for the information, (2) deleting the section describing hazardous waste storage on PTA State lands. Has hazardous waste spilled on state lands? Where are these records?

(4) Why can't the Army start cleaning up now?

a. The state Department of Health ("DOH") commented "There is no need for the Army to wait for the end of the lease period to address known and potential contamination under [federal laws]. Sites identified in the first and second Draft EIS documents . . . that are on state land and no longer within currently active range locations should begin the cleanup process as soon as possible." V2 at D-223

b. The Army flagged this comment as "not resolved".

(5) Have contaminants entered groundwater? How does the Army know either way?

a. The Army says there's no evidence that it has, but also "[g]roundwater quality data are limited"; researchers recommended sampling groundwater in shallower aquifers; and no one

has done this sampling or analysis. V1 at 3-193

b. Without completing the research, how can the Army discount the spread of contaminants, especially highly soluble perchlorate, into these water bodies?

(6) Could contaminants have impacts on human health?

a. DHHL “feel[s] strongly” that the Army should do long-term air-quality and water-table testing at PTA. V2 at D-220 The Army declined, pointing to a one-year air quality monitoring program in 2007 that did not find levels outside standards and that the aquifer is very deep. However, the Army admits there is a shallow aquifer that has not been tested despite recommendations to do so.

b. The FEIS is inconsistent on this issue. It discloses there are “potentially complete exposure pathways for human receptors from contaminants within the State-owned land surface soils” but because the same is not true for water and sediment, contaminants are “unlikely to impact public health.” V1 at 3-107

c. The FEIS acknowledges “airborne concentrations of lead on [Department of Defense] firing ranges have exceeded the Occupational Safety and Health Administration permissible exposure limit for some job duties, which might lead to increased blood lead levels”. V1 at 3-117 Yet there is no mitigation or study proposed to prevent this from happening at PTA.

(7) Cumulative impacts of the entirety of PTA

a. The FEIS only considers impacts of continuing military training on 22,750 acres of State lands, even though these training operations are inextricable from the entire 132,000 acres of PTA. What are the true cumulative impacts of these operations? How does PTA as a whole impact Hawai‘i’s economy? Housing availability? Native species supposedly “habituated” to the sound of military training and potentially exposed to munitions contaminants?

b. What alternatives are foreclosed by using these lands and resources for military training? Land Board staff also point out this is missing from the FEIS Submittal at 23

(8) Fire impacts are worse than disclosed.

a. Between 1975 and August 2024, there were 1,261 fires of which 1007 fires were due to military activities. V1 at 3-283. Pōhakuloa is a TERRIBLE, fire prone place to do military training. Yet, the Army rejects proposals to relocate training - only mitigation for monitoring fires and inhibiting invasive grass growth.

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b. At the same time, the FEIS concludes the Army’s “generation of GHGs has not

meaningfully contributed to the impacts of global or local climate change.” V1 at 4-16 How can it reach this conclusion if it does not have data?

(10) Existing mitigation proven insufficient by ongoing impacts.

a. The FEIS concedes ongoing impacts from past PTA operations - which the Army proposes to continue indefinitely. V1 at 4-11 - 4-25

b. And yet, proposed new mitigation solely consists in studies, reporting, monitoring, and potentially deploying a biological control directed at reducing wildfires and to formalize an access agreement with Native Hawaiian groups and individuals. V1 at 3-220 As noted by DLNR staff, the Army should have done these studies as part of this EIS - not afterwards.

c. For all other impacts, the Army will just continue existing mitigation measures. But these are not working because impacts continue to accrue, particularly to cultural resources as pointed out by Land Board staff who disagree that Army cultural resource programs are protecting these resources. Submittal at 23

d. The FEIS excluded many lands from its survey of historic properties, including iwi kupuna, on state lands. V1 at Fig. 3-8 How can the Army assess impacts to cultural resources if it does not even know if they are there?

Far from providing a comprehensive reference, the Army’s FEIS obstinately refuses to disclose the foreseeable harms their actions cause to Hawai‘i’s land, water, cultural resources, and its people. If the Army does not know, the Board should reject the FEIS and require the Army to conduct necessary investigations as part of this environmental review process and not relegate these important issues to some unaccounted-for future scenario. And the Board should reject any proposal that does not comprehensively lay out an expedient plan to restore the lands from the extensive harm the Army has already committed on land that provides food and water to Hawai‘i's communities.

Mahalo for considering my testimony.  
Kendra Obermaier

**From:** [Steve O'Neill](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Calling on BLNR to Reject the Army's FEIS: Unanswered Questions and Ongoing Harms at Pōhakuloa  
**Date:** Thursday, May 8, 2025 5:58:18 PM

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Please REJECT the Army's final Environmental Impact Statement (Agenda item D-1) for their proposal to continue to occupy 22,750 acres of State land at Pōhakuloa Training Area on Hawai'i island ("PTA") for an undetermined amount of time and conditions.

Please allow this land to be preserved and treated with the care it deserves. The Army will not give it the care it deserves. The facts below , speak for themselves ;

The Board should require the Army to provide the following information to assist with the Board's future decision making on any "real estate" proposal for PTA:

(1) Contamination from past, present, and future military actions.

- a. The FEIS discloses significant lead and heavy metal contamination in PTA lands caused by live fire training. The Army's surface soil sampling detected the following in site soils: antimony, arsenic, cobalt, copper, iron, 1-methylnaphthalene, lead, manganese, naphthalene, selenium, silver, total petroleum hydrocarbons (TPH) as diesel range organics (DRO) and residual range organics, and zirconium. **V1 at 3-106**
- b. The Army said there's no significant impact because low rainfall means the contamination won't spread much and the aquifer is deep. But the Army also concedes "shallower aquifers" were supposed to be tested, but weren't. It's unacceptable to claim there is no significant impact when areas that are more likely to be affected haven't been studied. **V1 at 3-193**
- c. The EPA pointed out PTA soils are highly permeable and some compounds are highly soluble and won't be absorbed into the soil. The EPA asked for soil sampling analysis to show how the Army knows contamination hasn't spread. The Army responded it has not sampled all of its lands "to determine the presence or absence of munitions constituents." **V2 at D-210**
- d. The FEIS does not address logical questions. How can existing and future contamination be removed? Will it be removed? How much has it already spread into the soils, vegetation, and animal life? How much worse will it get with continued Army operations?

(2) Potential and means to restore these lands.

- a. *Can* the Army clean up these lands? How? To what degree will the lands be remediated? What happens if they can't do it? In response to these questions, the Army refers to FEIS section 3.5.6, which says "cleanup and restoration . . . are not part of the Proposed Action" and "future cleanup and restoration requirements, standard processes, and associated cost are unknown." **V1 at 3-122**
- b. The existing leases only require: "Weapons and shells used in connection with training activities are to be removed to the extent that technical and economic capability exists and provided that expenditure for removal would not exceed the fair market value of the land." **DEIS V.1 at 3-14** (emphasis added). Left unchallenged, the Army could simply say that it's too expensive to clean up and leave their mess behind – in fact, the inclusion of such language incentivizes them to do so.
- c. The Army said it will comply with the "Comprehensive Environmental Response, Compensation, and Liability Act" (CERCLA), which requires remedial action concerning stored hazardous substances, "necessary to protect human health and the environment with respect to any such substance remaining on the property has been taken before" transferring the land back. However, the Army will not be clear on what this will mean, changing its stance on whether it stores hazardous substances on state lands (see

#3c) and refusing to disclose any remediation actions.

(3) Army is withholding information on accumulating contamination.

- a. In addition to the harm that has already occurred, how much worse will land contamination get with continued Army operations? What practices does the Army follow to prevent munitions contaminants from accumulating? The Army says it follows Standard Operating Procedures that are not available for public disclosure. **V2 at D-211** The EIS only gives a vague summary. **V2 at E-15 & E-16**
- b. The EIS does not tell us how much contamination has accumulated, despite these procedures, and its impacts.
- c. KAHEA asked about PTA's hazardous waste spill risks. The Army responded by: (1) telling KAHEA to file a Freedom of Information Act request for the information, (2) deleting the section describing hazardous waste storage on PTA State lands. Has hazardous waste spilled on state lands? Where are these records?

(4) Why can't the Army start cleaning up now?

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- b. The Army flagged this comment as "not resolved".

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- b. Without completing the research, how can the Army discount the spread of contaminants, especially highly soluble perchlorate, into these water bodies?

(6) Could contaminants have impacts on human health?

- a. DHHL "feel[s] strongly" that the Army should do long-term air-quality and water-table testing at PTA. **V2 at D-220** The Army declined, pointing to a one-year air quality monitoring program in 2007 that did not find levels outside standards and that the aquifer is very deep. However, the Army admits there is a shallow aquifer that has not been tested despite recommendations to do so.
- b. The FEIS is inconsistent on this issue. It discloses there are "potentially complete exposure pathways for human receptors from contaminants within the State-owned land surface soils" but because the same is not true for water and sediment, contaminants are "unlikely to impact public health." **V1 at 3-107**
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- a. The FEIS only considers impacts of continuing military training on 22,750 acres of State lands, even though these training operations are inextricable from the entire 132,000 acres of PTA. What are the true cumulative impacts of these operations? How does PTA as a whole impact Hawaii's economy? Housing availability? Native species supposedly "habituated" to the sound of military training and potentially exposed to munitions contaminants?
- b. What alternatives are foreclosed by using these lands and resources for military training? Land Board staff also point out this is missing from the FEIS **Submittal at 23**

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- a. The FEIS concedes ongoing impacts from past PTA operations - which the Army proposes to continue indefinitely. **V1 at 4-11 - 4-25**
- b. And yet, proposed new mitigation solely consists in studies, reporting, monitoring, and potentially deploying a biological control directed at reducing wildfires and to formalize an access agreement with Native Hawaiian groups and individuals. **V1 at 3-220** As noted by DLNR staff, the Army should have done these studies as part of this EIS - not afterwards.
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**Submittal at 23**
- d. The FEIS excluded many lands from its survey of historic properties, including iwi kupuna, on state lands. **V1 at Fig. 3-8** How can the Army assess impacts to cultural resources if it does not even know if they are there?

Far from providing a comprehensive reference, the Army’s FEIS obstinately refuses to disclose the foreseeable harms their actions cause to Hawai’i’s land, water, cultural resources, and its people. If the Army does not know, the Board should reject the FEIS and require the Army to conduct necessary investigations as part of this environmental review process and not relegate these important issues to some unaccounted-for future scenario.

Mahalo for considering my testimony.  
Steve and Linda O’Neill

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**From:** [Kateri Chiu](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Reject the EIS  
**Date:** Thursday, May 8, 2025 6:54:35 PM

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Please reject the environmental impact statement because it does not adequately address the environmental and cultural impact on this sacred site. The military should leave after all this time and allow the land to be returned to the Native Hawaiian people. This land holds cultural significance and endangered species. The military should not continue to threaten the health of people due to uranium exposure. Please make decisions with your heart.

Thank you,  
Kateri Orange

Sent from my iPhone

**From:** [danielle.pacific](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Calling on BLNR to REJECT the Army's FEIS: Unanswered Questions and Ongoing Harms at Pōhakuloa  
**Date:** Thursday, May 8, 2025 7:35:08 PM

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Mahalo for considering my testimony.

Danielle Pacific

Hawai'i Island Resident

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Aloha and Coconuts

Danielle Pacific (She/Hers)

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"Paying attention acknowledges that we have something to learn from intelligences other than our own.

Listening, standing Witness, creates an openness to the world in which the boundaries between us can dissolve in a raindrop...."

-Robin Wall Kimmerer

**From:** [Alexander Posey](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Pohakuloa is in an occupied country testimony  
**Date:** Thursday, May 8, 2025 8:10:04 PM

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Aloha,

Academia is a source of international law. Oxford University Press, the largest University Press in the world, and after a double blind review, they listed Hawai'i as the oldest occupation in modern history.

The country you occupy is the Hawaiian Kingdom land you occupy are crown private crown lands.

Google the permanent court of arbitration. Then search for the United States... it should say (State) look up China India ect. Now search Hawaiian Kingdom... what do you see the the right?

You are the Russia in Ukraine. You are Iraq in Kuwait. You are Isreal in Gaza. You are Nazi Germany in France. You are the Empire, your work only serves the dark side.

You ever ask yourselves the United states is doing in Guam? Like really... Guam?

750 military bases in some 80 countries and its so hard to believe that Hawaii was the birthing stone for US emperalism?

Do you even know about the Great Debate? 1893-1897 the main discussion in America was Should we Annex Hawaii and in every Senante and collegent debate - Hawaiian Independence won.

But why are Americans unaware of the great debate? Why don't Americans know Hawaiian Independence was prevailing voice for half a decade? In the News Papers, Havard vs Yale debates. George Town... Because when the emperalists come into power they erase it from your history books.

The senate said a joint resolution was not a treaty. Good senators from Georga Texas Nebraska, that knew the constitution.

End the occupation of my country. Start by cleaning it up before you leave, you've squatted for over a century... you built your empire on the backs of our islands... now leave.

By acting American law, and positioning yourself and your military you are considered War Criminals and can be prosecuted by the ICC. There is no statute of limitations for War Crimes.

Do the right thing and De occupy the Hawaiian islands and start by ending the lease.

Tutu Pele came up to your doors... on November 28... do you realize that's Hawaiian Independence Day?

Pay the 12 trillion in damages, enforce Hawaiian Kingdom law. Follow field manual 27-10. Arrest your Captians for not following the US constitution, which says treaties are the supreme law of the land, joint resolutions are not treaties.

Remember your family just wants freedom and justice and the right to liberty. Hawaiian had universal health care, and one of the best education systems and owned most of the real estate prior to the act of war on a friendly and confiding nation, according to President Cleveland.

Your leases are illegal. They are just American laws applied in a foreign territory.

The Hawaiian Kingdom exists. You're an occupying power in a Polynesian Sovereign State.

Best,

Alexander Kalau Posey  
Hawai'i Pacific University  
MBA Graduate Student  
cell: [\(808\) 990.0574](tel:8089900574)

**From:** [reina.ramirez](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Calling on BLNR to Reject the Army's FEIS: Unanswered Questions and Ongoing Harms at Pōhakuloa  
**Date:** Thursday, May 8, 2025 4:26:16 PM

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Aloha Members of the Board of Land and Natural Resources,

Please REJECT the Army's final Environmental Impact Statement (Agenda item D-1) for their proposal to continue to occupy 22,750 acres of State land at Pōhakuloa Training Area on Hawai'i island ("PTA") for an undetermined amount of time and conditions.

The Board should require the Army to provide the following information to assist with the Board's future decision making on any "real estate" proposal for PTA:

(1) Contamination from past, present, and future military actions.

a. The FEIS discloses significant lead and heavy metal contamination in PTA lands caused by live fire training. The Army's surface soil sampling detected the following in site soils: antimony, arsenic, cobalt, copper, iron, 1-methylnaphthalene, lead, manganese, naphthalene, selenium, silver, total petroleum hydrocarbons (TPH) as diesel range organics (DRO) and residual range organics, and zirconium. V1 at 3-106

b. The Army said there's no significant impact because low rainfall means the contamination won't spread much and the aquifer is deep. But the Army also concedes "shallower aquifers" were supposed to be tested, but weren't. It's unacceptable to claim there is no significant impact when areas that are more likely to be affected haven't been studied. V1 at 3-193

c. The EPA pointed out PTA soils are highly permeable and some compounds are highly soluble and won't be absorbed into the soil. The EPA asked for soil sampling analysis to show how the Army knows contamination hasn't spread. The Army responded it has not sampled all of its lands "to determine the presence or absence of munitions constituents." V2 at D-210

d. The FEIS does not address logical questions. How can existing and future contamination be removed? Will it be removed? How much has it already spread into the soils, vegetation, and animal life? How much worse will it get with continued Army operations?

(2) Potential and means to restore these lands.



a. Can the Army clean up these lands? How? To what degree will the lands be remediated? What happens if they can't do it? In response to these questions, the Army refers to FEIS section 3.5.6, which says "cleanup and restoration . . . are not part of the Proposed Action" and "future cleanup and restoration requirements, standard processes, and associated cost are unknown." V1 at 3-122

b. The existing leases only require: "Weapons and shells used in connection with training activities are to be removed to the extent that technical and economic capability exists and provided that expenditure for removal would not exceed the fair market value of the land." DEIS V.1 at 3-14 (emphasis added). Left unchallenged, the Army could simply say that it's too expensive to clean up and leave their mess behind – in fact, the inclusion of such language incentivizes them to do so.

c. The Army said it will comply with the "Comprehensive Environmental Response, Compensation, and Liability Act" (CERCLA), which requires remedial action concerning stored hazardous substances, "necessary to protect human health and the environment with respect to any such substance remaining on the property has been taken before" transferring the land back. However, the Army will not be clear on what this will mean, changing its stance on whether it stores hazardous substances on state lands (see #3c) and refusing to disclose any remediation actions.

### (3) Army is withholding information on accumulating contamination.

a. In addition to the harm that has already occurred, how much worse will land contamination get with continued Army operations? What practices does the Army follow to prevent munitions contaminants from accumulating? The Army says it follows Standard Operating Procedures that are not available for public disclosure. V2 at D-211 The EIS only gives a vague summary. V2 at E-15 & E-16

b. The EIS does not tell us how much contamination has accumulated, despite these procedures, and its impacts.

c. KAHEA asked about PTA's hazardous waste spill risks. The Army responded by: (1) telling KAHEA to file a Freedom of Information Act request for the information, (2) deleting the section describing hazardous waste

storage on PTA State lands. Has hazardous waste spilled on state lands?  
Where are these records?

(4) Why can't the Army start cleaning up now?

a. The state Department of Health ("DOH") commented "There is no need for the Army to wait for the end of the lease period to address known and potential contamination under [federal laws]. Sites identified in the first and second Draft EIS documents . . . that are on state land and no longer within currently active range locations should begin the cleanup process as soon as possible." V2 at D-223

b. The Army flagged this comment as "not resolved".

(5) Have contaminants entered groundwater? How does the Army know either way?

a. The Army says there's no evidence that it has, but also "[g]roundwater quality data are limited"; researchers recommended sampling groundwater in shallower aquifers; and no one has done this sampling or analysis. V1 at 3-193

b. Without completing the research, how can the Army discount the spread of contaminants, especially highly soluble perchlorate, into these water bodies?

(6) Could contaminants have impacts on human health?

a. DHHL "feel[s] strongly" that the Army should do long-term air-quality and water-table testing at PTA. V2 at D-220 The Army declined, pointing to a one-year air quality monitoring program in 2007 that did not find levels outside standards and that the aquifer is very deep. However, the Army admits there is a shallow aquifer that has not been tested despite recommendations to do so.

b. The FEIS is inconsistent on this issue. It discloses there are "potentially complete exposure pathways for human receptors from contaminants within the State-owned land surface soils" but because the same is not true for water and sediment, contaminants are "unlikely to impact public health." V1 at 3-107

c. The FEIS acknowledges "airborne concentrations of lead on [Department

of Defense] firing ranges have exceeded the Occupational Safety and Health Administration permissible exposure limit for some job duties, which might lead to increased blood lead levels". V1 at 3-117 Yet there is no mitigation or study proposed to prevent this from happening at PTA.

(7) Cumulative impacts of the entirety of PTA

a. The FEIS only considers impacts of continuing military training on 22,750 acres of State lands, even though these training operations are inextricable from the entire 132,000 acres of PTA. What are the true cumulative impacts of these operations? How does PTA as a whole impact Hawai'i's economy? Housing availability? Native species supposedly "habituated" to the sound of military training and potentially exposed to munitions contaminants?

b. What alternatives are foreclosed by using these lands and resources for military training? Land Board staff also point out this is missing from the FEIS Submittal at 23

(8) Fire impacts are worse than disclosed.

a. Between 1975 and August 2024, there were 1,261 fires of which 1007 fires were due to military activities. V1 at 3-283. Pōhakuloa is a TERRIBLE, fire prone place to do military training. Yet, the Army rejects proposals to relocate training - only mitigation for monitoring fires and inhibiting invasive grass growth.

b. The Department of Interior pointed out the "entire population of Palila are restricted to the west slope of Mauna Kea and are extremely vulnerable to an extinction event such as a wildland fire, as happened in 2021." V2 at D-214

(9) No disclosure of greenhouse gases

a. The EIS discloses the Army does not have data on its greenhouse gas emissions ("GHGs") for activities on State lands. Why not? The U.S. military reportedly produces more GHGs than the entire nations of Portugal or Denmark,[1] but does not track its own emissions?

b. At the same time, the FEIS concludes the Army's "generation of GHGs has not meaningfully contributed to the impacts of global or local climate change." V1 at 4-16 How can it reach this conclusion if it does not have data?

(10) Existing mitigation proven insufficient by ongoing impacts.

a. The FEIS concedes ongoing impacts from past PTA operations - which the Army proposes to continue indefinitely. V1 at 4-11 - 4-25

b. And yet, proposed new mitigation solely consists in studies, reporting, monitoring, and potentially deploying a biological control directed at reducing wildfires and to formalize an access agreement with Native Hawaiian groups and individuals. V1 at 3-220 As noted by DLNR staff, the Army should have done these studies as part of this EIS - not afterwards.

c. For all other impacts, the Army will just continue existing mitigation measures. But these are not working because impacts continue to accrue, particularly to cultural resources as pointed out by Land Board staff who disagree that Army cultural resource programs are protecting these resources. Submittal at 23

d. The FEIS excluded many lands from its survey of historic properties, including iwi kupuna, on state lands. V1 at Fig. 3-8 How can the Army assess impacts to cultural resources if it does not even know if they are there?

Far from providing a comprehensive reference, the Army's FEIS obstinately refuses to disclose the foreseeable harms their actions cause to Hawai'i's land, water, cultural resources, and its people. If the Army does not know, the Board should reject the FEIS and require the Army to conduct necessary investigations as part of this environmental review process and not relegate these important issues to some unaccounted-for future scenario.

Mahalo for considering my testimony.

Reina Ramirez

**From:** [Dawn Rego-Yee](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Cc:** [David Scott Kekoa Rosehill](#)  
**Subject:** [EXTERNAL] Pōhakuloa Testimony - In Opposition  
**Date:** Thursday, May 8, 2025 8:54:48 PM

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Aloha Land Board Members:

I am writing to express my strong opposition to the U.S. Army's proposed retention of leased lands at Pōhakuloa Training Area, and to urge the land board to reject the Army's EIS.

Pōhakuloa is not just a piece of land—it is a wahi pana, a sacred and storied place, home to irreplaceable Native Hawaiian cultural sites and some of Hawai'i's most endangered species. The Army has not demonstrated the capacity or will to serve as a proper steward of this land, and the FEIS fails to meaningfully address these concerns.

For example, the Army's actions have already resulted in the burning of nearly 20,000 acres, including designated critical habitat for native flora and fauna. This is unacceptable. Additionally, the ongoing use of live-fire and bombing in the impact area raises serious concerns about environmental contamination, safety, and long-term degradation of both the land and water.

Military training activities of this scale are simply not compatible with conservation, cultural integrity, or aloha 'āina. Enough is enough.

The EIS is insufficient and should be rejected on several grounds:

- Inadequate Environmental and Cultural Impact Analysis
- Lack of a sufficient plan to mitigate impacts to cultural and natural resources
- Concerns about depleted uranium on the site have gone unaddressed
- Military usage is incompatible with the conservation district designation
- The approval of the EIS ultimately conflicts with the BLNR's constitutional duty mālama 'āina

I urge the members of the land board to respect the land, the culture, and the people of Hawai'i by rejecting the Army's FEIS for Pōhakuloa. It's time to return these lands and begin a real process of healing and restoration.

Sincerely,

Dawn Rego-Yee  
Kekoa Rosehill

Kaūmana, Hilo, Hawai'i Island

**From:** [Kama Richards](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Testimony Opposing the Final Environmental Impact Statement (EIS) for U.S. Military Use of Pōhakuloa Training Area  
**Date:** Thursday, May 8, 2025 8:39:52 PM

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Aloha e Chair Chang and Esteemed Committee Members,

I write today as a concerned Kanaka Maoli and steward of this ‘āina to urge your firm rejection of the Final Environmental Impact Statement (EIS) submitted in support of continued military use of the Pōhakuloa Training Area (PTA).

Pōhakuloa is not merely land. It is sacred—a wahi pana rooted in ancestral knowledge, ceremony, and responsibility. For over 70 years, this sacred landscape has endured relentless degradation under U.S. military occupation. The submission of this EIS represents not responsible stewardship, but a continuation of the desecration and dispossession of our homeland.

I offer this testimony on behalf of our lāhui to raise four urgent and interconnected concerns:

#### 1. Continued Desecration of Sacred Sites

Pōhakuloa is rich in cultural and spiritual significance, housing ancient trails, heiau, and iwi kūpuna. Military activity has repeatedly bombed and bulldozed these sacred spaces, despite legal and ethical protections. This is a violation not only of Native Hawaiian religious and cultural rights but of the DLNR’s kuleana to mālama ‘āina.

#### 2. Environmental Irreversibility

The EIS gravely underestimates the environmental damage caused by decades of military activity. The use of live ammunition, chemical contaminants, and heavy artillery has poisoned soil, threatened endangered species, and disrupted fragile ecosystems. No mitigation plan within the EIS adequately restores what has already been lost—let alone justifies further occupation.

#### 3. Illegitimacy of U.S. Military Occupation

The U.S. military presence at Pōhakuloa stems from an illegal overthrow and unlawful annexation of the Hawaiian Kingdom. Therefore, its continued use of Hawaiian lands for destructive military purposes is a direct violation of international law, self-determination, and the political rights of Kanaka Maoli.

#### 4. Failure to Uphold the Public Trust Doctrine

As trustees of the land under Article XI, Section 1 of the Hawai‘i State Constitution, DLNR is legally bound to conserve and protect Hawai‘i’s natural and cultural resources for present and future generations. Approving this EIS would be a failure of that trust—permitting further destruction rather than conservation.

In the face of pressure from federal agencies, I implore this committee to stand on the side of justice, pono, and true aloha ‘āina. The legacy you leave will be remembered not by your deference to power, but by your courage to protect the most sacred and irreplaceable parts of our homeland.

The time to act is now. Reject this EIS. Return the land to its rightful caretakers. And let the healing of Pōhaku Loa begin.

Me ka ‘oia‘i‘o,

Kamaokeaoakua Richards

Molokai

Kanaka Maoli & Cultural Practitioner

**From:** [Thomas Richmond](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Testimony in opposition Pohakuloa BLNR  
**Date:** Thursday, May 8, 2025 9:19:33 PM

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Aloha mai

Chair Dawn Chang  
Department of Land and Natural Resources  
& Honorable Committee Members

Subject: Testimony Opposing the Final Environmental Impact Statement (EIS) for U.S. Military Use of Pōhakuloa Training Area

Aloha e Chair Chang and Esteemed Committee Members,

I write today as a concerned Kama 'āina and steward of this 'āina to urge your firm rejection of the Final Environmental Impact Statement (EIS) submitted in support of continued military use of the Pōhakuloa Training Area (PTA).

To one who remembers the history regarding lease agreements in Hawaii, ie Pearl Harbors planned non-renewal the year prior to forced illegal temporary abdication of Hawaii's Queen, this is all too similar of a situation that relies on misinformation and ignorance to even consider military leasing a plausible benefit in this arena.

When considering the points below; continued desecration of the sacred, environmental irresversability, illegitimacy of occupation (initial usurpation as pointed to above).... : Once again citizens who see themselves as denizens upon these lands should not even have a stake to claim territory for the military to have its way with. The conduct of a military who would seek to retain space for any amount of money, or in this case \$1, is and never was enough to CONSTITUTE a justifiable play pen for a military that has shown time and time again it does not know how to pick up its toys, play with others respectfully, and , as is the case over and over again, shows flagrant disregard towards restraining the damage done to the yard, windows, fence, landscaping, and neighbors. Obviously the comparison drawn here is a temper tantrum from an illegal occupying force who never had a legal means of custody to begin with.

When in the process of military usurpation this sovereign nation received erasure at the end of US barrels of guns pointing without sanction towards that of a peaceful Hawaiian Kingdom, installed itself as bully of a playground they should never have been allowed to pee in to begin with; they destroy for future generations of children the very sandbox that they have now turned into a litter box for the true stewards, the parental guardians of this space of Hawaii.... Therein lies a probable cause for reprimand. The child in camouflage of national identity of one who would overstep its moral obligation to this so called "state" must then realize the authority of a sovereign people who have had enough of the torment. A government operating as juror of its own conduct, within conscious clarity, should seek to absolve itself of the transgressions it has enacted for neigh 2 centuries. To be swept under the rug with a tap on the wrist should connote the skewed and irresponsible parenting style of one who has no interest in actually operating on a level and moral ground or upon a



scale of justice. To allow the intentional dilution of those who seek to steal these lands and in so doing claim themselves Lord of the Flies has either blatant disregard of a relationship to anything resembling akua, 'āina, aumākua, and Kānaka Māoli cultural prescriptions towards philosophies of life and responsibility inherent therein,... Or worse.... It is directly intentional. Those who benefit from this are not in support of this sacred space, and continue to act in the footsteps of a senate and house that through greed without reciprocity has wrought nothing but intentional destruction to yet another space it deems its colony.

.

Renewing a lease that, in its fine print, contains the same underlying current of the erasure and opportunistic ethnocide of the Hawaiian Kingdom should be a red-flag to all.

No other Nation in the world has as many military playgrounds than the United States, and allowing further negotiations including leases is nothing more than a continued manifest colonizer destiny outlook, under the guise of importance and greatness, and in the face of hundreds of years of Hawaiian opposition, shows this.... Americans thought a tax on tea was bad in 1770s? Then it is unconstitutional for a globalized government to assume control of lands it itself had a verbal peace treaty with. The long con being the blind continued support of bombing into oblivion every island it can legislate as being too dangerous, or uninhabited while planting run-ways and transfer stations who remain operational and secured... it now allows civilian populations to drive under live ammunition carrying helicopters repeatedly running drills, pumping rounds into a sacred space with an entire culture's national treasures, Mauna Kea / Mauna Loa (over a thousand structures and altars honoring ancestors, akua, 'aumākua on and between them), as the firing range target that is riddled with holes already. It is hard not to draw the similarity that it is indeed Kānaka Māoli and oiwī of these spaces as the subject that feels the red dots of a scope, continuing to line up its shot, with a seemingly endless supply of bullets.

Pōhakuōa is not merely land. It is sacred—a wahi pana rooted in ancestral knowledge, ceremony, and responsibility. For over 70 years, this sacred landscape has endured relentless degradation under U.S. military occupation. The submission of this EIS represents not responsible stewardship, but a continuation of the desecration and dispossession of our homeland.

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Me ka 'oia'i'o,

Thomas Richmond

@Ascendedlines

Puueo, Hilo, Hilo, Kingdom of Hawaii, Hawaiian Kingdom, Mauna Kea, Wailuku River.

Practitioner of Tattoo; Muralist, Kaha kii,

Aloha nui Kākou

[Ascendedlines@gmail.com](mailto:Ascendedlines@gmail.com)

**From:** [Eileen Rodrigues](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Our water is our source of life! No more contamination!  
**Date:** Thursday, May 8, 2025 4:33:47 PM

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Subject Line: Calling on BLNR to Reject the Army's FEIS: Unanswered Questions and Ongoing Harms at Pōhakuloa

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Please REJECT the Army's final Environmental Impact Statement (Agenda item D-1) for their proposal to continue to occupy 22,750 acres of State land at Pōhakuloa Training Area on Hawai'i island ("PTA") for an undetermined amount of time and conditions.

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residual range organics, and zirconium. **V1 at 3-106**

b. The Army said there's no significant impact because low rainfall means the contamination won't spread much and the aquifer is deep. But the Army also concedes "shallower aquifers" were supposed to be tested, but weren't. It's unacceptable to claim there is no significant impact when areas that are more likely to be affected haven't been studied. **V1 at 3-193**

c. The EPA pointed out PTA soils are highly permeable and some compounds are highly soluble and won't be absorbed into the soil. The EPA asked for soil sampling analysis to show how the Army knows contamination hasn't spread. The Army responded it has not sampled all of its lands "to determine the presence or absence of munitions constituents." **V2 at D-210**

d. The FEIS does not address logical questions. How can existing and future contamination be removed? Will it be removed? How much has it already spread into the soils, vegetation, and animal life? How much worse will it get with continued Army

operations?

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a. *Can* the Army clean up these lands? How? To what degree will the lands be remediated? What happens if they can't do it? In response to these questions, the Army refers to FEIS section 3.5.6, which says "cleanup and restoration . . . are not part of the Proposed Action" and "future cleanup and restoration requirements, standard processes, and associated cost are unknown." **V1 at 3-122**

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- b. The EIS does not tell us how much contamination has accumulated, despite these procedures, and its impacts.

c. KAHEA asked about PTA's hazardous waste spill risks. The Army responded by: (1) telling KAHEA to file a Freedom of Information Act request for the information, (2) deleting the section describing hazardous waste storage on PTA State lands. Has hazardous waste spilled on state lands? Where are these records?

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b. The Army flagged this comment as "not resolved".

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b. Without completing the research, how can the Army discount the spread of contaminants, especially highly soluble perchlorate, into these water bodies?

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a. DHHL “feel[s] strongly” that the Army should do long-term air-quality and water-table testing at PTA. **V2 at D-220** The Army declined, pointing to a one-year air quality monitoring program in 2007 that did not find levels outside standards and that the aquifer is very deep. However, the Army admits there is a shallow aquifer that has not been tested despite recommendations to do so.

b. The FEIS is inconsistent on this issue. It discloses there are “potentially complete exposure pathways for human receptors from contaminants within the State-owned land surface soils” but because the same is not true for water and sediment,



contaminants are “unlikely to impact public health.” **V1 at 3-107**

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**V1 at 4-16** How can it reach this conclusion if it does not have data?

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a. The FEIS concedes ongoing impacts from past PTA operations - which the Army proposes to continue indefinitely.

**V1 at 4-11 - 4-25**

b. And yet, proposed new mitigation solely consists in studies, reporting, monitoring, and potentially deploying a biological control directed at reducing wildfires and to formalize an access agreement with Native Hawaiian groups and individuals. **V1 at 3-220** As noted by DLNR staff, the Army should have done these studies as part of this EIS - not afterwards.

c. For all other impacts, the Army will just continue existing mitigation measures. But these are not working because impacts continue to accrue, particularly to cultural resources as pointed out by Land Board staff who disagree that Army cultural resource programs are protecting

these resources. **Submittal at 23**

d. The FEIS excluded many lands from its survey of historic properties, including iwi kupuna, on state lands. **V1 at Fig. 3-8**

How can the Army assess impacts to cultural resources if it does not even know if they are there?

Far from providing a comprehensive reference, the Army's FEIS obstinately refuses to disclose the foreseeable harms their actions cause to Hawai'i's land, water, cultural resources, and its people. If the Army does not know, the Board should reject the FEIS and require the Army to conduct necessary investigations as part of this environmental review process and not relegate these important issues to some unaccounted-for future scenario.

Mahalo for considering my testimony.  
Eileen Rodrigues, Big Island since 1960

Sent from my iPhone

**From:** [Buck Romero](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Calling on BLNR to Reject the Army's FEIS: Unanswered Questions and Ongoing Harms at Pōhakuloa  
**Date:** Thursday, May 8, 2025 9:14:37 PM

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Aloha Members of the Board of Land and Natural Resources,

Please REJECT the Army's final Environmental Impact Statement (Agenda item D-1) for their proposal to continue to occupy 22,750 acres of State land at Pōhakuloa Training Area on Hawai'i island ("PTA") for an undetermined amount of time and conditions.

The Board should require the Army to provide the following information to assist with the Board's future decision making on any "real estate" proposal for PTA:

(1) Contamination from past, present, and future military actions.

a. The FEIS discloses significant lead and heavy metal contamination in PTA lands caused by live fire training. The Army's surface soil sampling detected the following in site soils: antimony, arsenic, cobalt, copper, iron, 1-methylnaphthalene, lead, manganese, naphthalene, selenium, silver, total petroleum hydrocarbons (TPH) as diesel range organics (DRO) and residual range organics, and zirconium. **V1 at 3-106**

b. The Army said there's no significant impact because low rainfall means the contamination won't spread much and the aquifer is deep. But the Army also concedes "shallower aquifers" were supposed to be tested, but weren't. It's unacceptable to claim there is no significant impact when areas that are more likely to be affected haven't been studied. **V1 at 3-193**

c. The EPA pointed out PTA soils are highly permeable and some compounds are highly soluble and won't be absorbed into the soil. The EPA asked for soil sampling analysis to show how the Army knows contamination hasn't spread. The Army responded it has not sampled all of its lands "to determine the presence or absence of munitions constituents." **V2 at D-210**

d. The FEIS does not address logical questions. How can existing and future contamination be removed? Will it be removed? How much has it

already spread into the soils, vegetation, and animal life? How much worse will it get with continued Army operations?

(2) Potential and means to restore these lands.

a. *Can* the Army clean up these lands? How? To what degree will the lands be remediated? What happens if they can't do it? In response to these questions, the Army refers to FEIS section 3.5.6, which says "cleanup and restoration . . . are not part of the Proposed Action" and "future cleanup and restoration requirements, standard processes, and associated cost are unknown." **V1 at 3-122**

b. The existing leases only require: "Weapons and shells used in connection with training activities are to be removed to the extent that technical and economic capability exists and provided that expenditure for removal would not exceed the fair market value of the land." **DEIS V.1 at 3-14** (emphasis added). Left unchallenged, the Army could simply say that it's too expensive to clean up and leave their mess behind – in fact, the inclusion of such language incentivizes them to do so.

c. The Army said it will comply with the "Comprehensive Environmental Response, Compensation, and Liability Act" (CERCLA), which requires remedial action concerning stored hazardous substances, "necessary to protect human health and the environment with respect to any such substance remaining on the property has been taken before" transferring the land back. However, the Army will not be clear on what this will mean, changing its stance on whether it stores hazardous substances on state lands (see #3c) and refusing to disclose any remediation actions.

(3) Army is withholding information on accumulating contamination.

a. In addition to the harm that has already occurred, how much worse will land contamination get with continued Army operations? What practices does the Army follow to prevent munitions contaminants from accumulating? The Army says it follows Standard Operating Procedures that are not available for public disclosure. **V2 at D-211** The EIS only gives a vague summary. **V2 at E-15 & E-16**

b. The EIS does not tell us how much contamination has accumulated, despite these procedures, and its impacts.

c. KAHEA asked about PTA's hazardous waste spill risks. The Army responded by: (1) telling KAHEA to file a Freedom of Information Act request for the information, (2) deleting the section describing hazardous waste storage on PTA State lands. Has hazardous waste spilled on state lands? Where are these records?

(4) Why can't the Army start cleaning up now?

a. The state Department of Health ("DOH") commented "There is no need for the Army to wait for the end of the lease period to address known and potential contamination under [federal laws]. Sites identified in the first and second Draft EIS documents . . . that are on state land and no longer within currently active range locations should begin the cleanup process as soon as possible." **V2 at D-223**

b. The Army flagged this comment as "not resolved".

(5) Have contaminants entered groundwater? How does the Army know either way?

a. The Army says there's no evidence that it has, but also "[g]roundwater quality data are limited"; researchers recommended sampling groundwater in shallower aquifers; and no one has done this sampling or analysis. **V1 at 3-193**

b. Without completing the research, how can the Army discount the spread of contaminants, especially highly soluble perchlorate, into these water bodies?

(6) Could contaminants have impacts on human health?

a. DHHL "feel[s] strongly" that the Army should do long-term air-quality and water-table testing at PTA. **V2 at D-220** The Army declined, pointing to a one-year air quality monitoring program in 2007 that did not find levels outside standards and that the aquifer is very deep. However, the Army admits there is a shallow aquifer that has not been tested despite recommendations to do so.

b. The FEIS is inconsistent on this issue. It discloses there are

“potentially complete exposure pathways for human receptors from contaminants within the State-owned land surface soils” but because the same is not true for water and sediment, contaminants are “unlikely to impact public health.” **V1 at 3-107**

c. The FEIS acknowledges “airborne concentrations of lead on [Department of Defense] firing ranges have exceeded the Occupational Safety and Health Administration permissible exposure limit for some job duties, which might lead to increased blood lead levels”. **V1 at 3-117**  
Yet there is no mitigation or study proposed to prevent this from happening at PTA.

(7) Cumulative impacts of the entirety of PTA

a. The FEIS only considers impacts of continuing military training on 22,750 acres of State lands, even though these training operations are inextricable from the entire 132,000 acres of PTA. What are the true cumulative impacts of these operations? How does PTA as a whole impact Hawai‘i’s economy? Housing availability? Native species supposedly “habituated” to the sound of military training and potentially exposed to munitions contaminants?

b. What alternatives are foreclosed by using these lands and resources for military training? Land Board staff also point out this is missing from the FEIS **Submittal at 23**

(8) Fire impacts are worse than disclosed.

a. Between 1975 and August 2024, there were 1,261 fires of which 1007 fires were due to military activities. **V1 at 3-283**. Pōhakuloa is a TERRIBLE, fire prone place to do military training. Yet, the Army rejects proposals to relocate training - only mitigation for monitoring fires and inhibiting invasive grass growth.

b. The Department of Interior pointed out the “entire population of Palila are restricted to the west slope of Mauna Kea and are extremely vulnerable to an extinction event such as a wildland fire, as happened in 2021.” **V2 at D-214**

(9) No disclosure of greenhouse gases



- a. The EIS discloses the Army does not have data on its greenhouse gas emissions (“GHGs”) for activities on State lands. Why not? The U.S. military reportedly produces more GHGs than the entire nations of Portugal or Denmark,[1] but does not track its own emissions?
- b. At the same time, the FEIS concludes the Army’s “generation of GHGs has not meaningfully contributed to the impacts of global or local climate change.” **V1 at 4-16** How can it reach this conclusion if it does not have data?

(10) Existing mitigation proven insufficient by ongoing impacts.

- a. The FEIS concedes ongoing impacts from past PTA operations - which the Army proposes to continue indefinitely. **V1 at 4-11 - 4-25**
- b. And yet, proposed new mitigation solely consists in studies, reporting, monitoring, and potentially deploying a biological control directed at reducing wildfires and to formalize an access agreement with Native Hawaiian groups and individuals. **V1 at 3-220** As noted by DLNR staff, the Army should have done these studies as part of this EIS - not afterwards.
- c. For all other impacts, the Army will just continue existing mitigation measures. But these are not working because impacts continue to accrue, particularly to cultural resources as pointed out by Land Board staff who disagree that Army cultural resource programs are protecting these resources. **Submittal at 23**
- d. The FEIS excluded many lands from its survey of historic properties, including iwi kupuna, on state lands. **V1 at Fig. 3-8** How can the Army assess impacts to cultural resources if it does not even know if they are there?

Far from providing a comprehensive reference, the Army’s FEIS obstinately refuses to disclose the foreseeable harms their actions cause to Hawai’i’s land, water, cultural resources, and its people. If the Army does not know, the Board should reject the FEIS and require the Army to conduct necessary investigations as part of this environmental review process and not relegate these important issues to some unaccounted-for future scenario.

Mahalo for considering my testimony.

Buck Romero

**From:** [Olivia Roque](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Testimony Opposing the Final Environmental Impact Statement (EIS) for U.S. Military Use of Pōhakuloa Training Area  
**Date:** Thursday, May 8, 2025 7:38:57 PM

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To:  
Chair Dawn Chang  
Department of Land and Natural Resources  
& Honorable Committee Members

Subject: Testimony Opposing the Final Environmental Impact Statement (EIS) for U.S. Military Use of Pōhakuloa Training Area

Aloha e Chair Chang and Esteemed Committee Members,

I write today as a concerned Kanaka Maoli and steward of this ‘āina to urge your firm rejection of the Final Environmental Impact Statement (EIS) submitted in support of continued military use of the Pōhakuloa Training Area (PTA).

Pōhakuloa is not merely land. It is sacred—a wahi pana rooted in ancestral knowledge, ceremony, and responsibility. For over 70 years, this sacred landscape has endured relentless degradation under U.S. military occupation. The submission of this EIS represents not responsible stewardship, but a continuation of the desecration and dispossession of our homeland.

I offer this testimony on behalf of our lāhui to raise four urgent and interconnected concerns:

1. Continued Desecration of Sacred Sites

Pōhakuloa is rich in cultural and spiritual significance, housing ancient trails, heiau, and iwi kūpuna. Military activity has repeatedly bombed and bulldozed these sacred spaces, despite legal and ethical protections. This is a violation not only of Native Hawaiian religious and cultural rights but of the DLNR’s kuleana to mālama ‘āina.

2. Environmental Irreversibility

The EIS gravely underestimates the environmental damage caused by decades of military activity. The use of live ammunition, chemical contaminants, and heavy artillery has poisoned soil, threatened endangered species, and disrupted fragile ecosystems. No mitigation plan within the EIS adequately restores what has already been lost—let alone justifies further occupation.

3. Illegitimacy of U.S. Military Occupation

The U.S. military presence at Pōhakuloa stems from an illegal overthrow and unlawful annexation of the Hawaiian Kingdom. Therefore, its continued use of Hawaiian lands for destructive military purposes is a direct violation of international law, self-determination, and the political rights of Kanaka Maoli.

4. Failure to Uphold the Public Trust Doctrine

As trustees of the land under Article XI, Section 1 of the Hawai‘i State Constitution, DLNR is legally bound to conserve and protect Hawai‘i’s natural and cultural resources for present and future generations. Approving this EIS would be a failure of that trust—permitting further destruction rather than conservation.

In the face of pressure from federal agencies, I implore this committee to stand on the side of justice, pono, and true aloha ‘āina. The legacy you leave will be remembered not by your deference to power, but by your courage to protect the most sacred and irreplaceable parts of our homeland.

The time to act is now. Reject this EIS. Return the land to its rightful caretakers. And let the healing of Pōhakuloa begin.

Me ka ‘oia‘i‘o,

**Olivia Roque**  
Pahoa, Hawai‘i

**From:** [laura safranski](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Testimony for Agenda Item D-1  
**Date:** Thursday, May 8, 2025 6:05:40 PM

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*Aloha e Chair Chang and Members of the Board of Land and Natural Resources,*

*My name is Laura Safranski and I am from Waianae. I respectfully urge you to do the right thing, and REJECT the clearly insufficient FEIS in Item D-1.*

*As the DLNR staff submittal makes clear, the FEIS fails to include needed biological and archaeological surveys, turns a blind eye to environmental impacts on federal lands, and downplays obviously significant threats to endangered native birds and wildlife - among many other issues. Accepting this dangerously deficient document may accordingly result in actions that threaten the permanent and inadvertent loss of native species, iwi kūpuna, and historic properties, among other deep and immeasurable harms to the public interest.*

*Accordingly, please REJECT the FEIS put forward in Agenda Item D-1.*

*Mahalo nui for the opportunity to testify.*

*Sincerely,*

*Laura Safranski*

**From:** [Colby Sameshima](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Pōhakuloa Testimony  
**Date:** Thursday, May 8, 2025 9:36:40 PM

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Aloha e Chair Chang, Members Smith, Canto, Ono, Barnes, Char, and Yoon,

My name is Colby Sameshima and I am fourth-generation Chinese in Hawai‘i, from ‘Āina Haina. As I’m sure you’re well aware, public trust in the military and the government bodies that are supposed to hold the military accountable to NOT breaking the law -- including, but not limited to, repeatedly desecrating our lands, our waters, our ecosystems and our people -- is at an all-time low. This is as clear cut as it has seemed to get when it comes to an opportunity for the state to logically and legally hold them to the due process this country posits to uphold. As such, I respectfully urge you to do the right thing, and REJECT the clearly insufficient FEIS in Item D-1.

As the DLNR staff submittal makes clear, the FEIS fails to include needed biological and archaeological surveys, turns a blind eye to environmental impacts on federal lands, and downplays obviously significant threats to endangered native birds and wildlife. Accepting this dangerously deficient document may accordingly result in actions that threaten the permanent and inadvertent loss of native species, iwi kūpuna, and historic properties, among other deep and immeasurable harms to the public interest.

Please note these also have an arguably larger effect on our economy, given we tout our pristine ecosystems both to visitors, as well as locally, as sources of pride and identity alike. All of ‘āina is connected.

Accordingly, please REJECT the FEIS put forward in Agenda Item D-1.

Mahalo nui for your work and the opportunity to testify.

Warmly,  
Colby

--

**Colby Sameshima**

(she/her)

**MBA, Class of 2024**

Haas School of Business

University of California, Berkeley

[xučyun|Huichin](#), unceded Ohlone Land

(808) 728-1110

[Colbysameshima@berkeley.edu](mailto:Colbysameshima@berkeley.edu)



**From:** [Jeanene Sebstad](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] I reject the Army's FEIS  
**Date:** Thursday, May 8, 2025 9:27:54 PM

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**Subject: Calling on BLNR to Reject the Army's FEIS: Unanswered Questions and Ongoing Harms at Pōhakuloa**

Aloha Members of the Board of Land and Natural Resources,

Please REJECT the Army's final Environmental Impact Statement (Agenda item D-1) for their proposal to continue to occupy 22,750 acres of State land at Pōhakuloa Training Area on Hawai'i island ("PTA") for an undetermined amount of time and conditions.

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b. The Army said there's no significant impact because low rainfall means the contamination won't spread much and the aquifer is deep. But the Army also concedes "shallower aquifers" were supposed to be tested, but weren't. It's unacceptable to claim there is no significant impact when areas that are more likely to be affected haven't been

studied. V1 at 3-193

c. The EPA pointed out PTA soils are highly permeable and some compounds are highly soluble and won't be absorbed into the soil. The EPA asked for soil sampling analysis to show how the Army knows contamination hasn't spread. The Army responded it has not sampled all of its lands "to determine the presence or absence of munitions constituents." V2 at D-210

d. The FEIS does not address logical questions. How can existing and future contamination be removed? Will it be removed? How much has it already spread into the soils, vegetation, and animal life? How much worse will it get with continued Army operations?

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b. The Army flagged this comment as “not resolved”.

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b. The FEIS is inconsistent on this issue. It discloses there are “potentially complete exposure pathways for human receptors from contaminants within the State-owned land surface soils” but because the same is not true for water and sediment, contaminants are “unlikely to impact public health.” V1 at 3-107

c. The FEIS acknowledges “airborne concentrations of lead on [Department of Defense] firing ranges have exceeded the Occupational Safety and Health Administration permissible exposure limit for some job duties, which might lead to increased blood lead levels”. V1 at 3-117 Yet there is no mitigation or study proposed to prevent this from

happening at PTA.

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a. The FEIS only considers impacts of continuing military training on 22,750 acres of State lands, even though these training operations are inextricable from the entire 132,000 acres of PTA. What are the true cumulative impacts of these operations? How does PTA as a whole impact Hawai'i's economy? Housing availability? Native species supposedly "habituated" to the sound of military training and potentially exposed to munitions contaminants?

b. What alternatives are foreclosed by using these lands and resources for military training? Land Board staff also point out this is missing from the FEIS Submittal at 23

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a. Between 1975 and August 2024, there were 1,261 fires of which 1007 fires were due to military activities. V1 at 3-283. Pōhakuloa is a TERRIBLE, fire prone place to do military training. Yet, the Army rejects proposals to relocate training - only mitigation for monitoring fires and inhibiting invasive grass growth.

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(9) No disclosure of greenhouse gases

a. The EIS discloses the Army does not have data on its greenhouse gas emissions ("GHGs") for activities on State lands. Why not? The U.S. military reportedly produces more GHGs than the entire nations of Portugal or Denmark, [1] but does not track its own emissions?

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Far from providing a comprehensive reference, the Army's FEIS obstinately refuses to disclose the foreseeable harms their actions cause to Hawai'i's land, water, cultural resources, and its people. If the Army does not know, the Board should reject the FEIS and require the Army to

conduct necessary investigations as part of this environmental review process and not relegate these important issues to some unaccounted-for future scenario.

Thank you for your consideration of stopping the use of land. That's enough already.

Signed by:

Jeanene Sebstad

187 Ahaaina way

Kihei, HI 96753

808-357-4606

**From:** [Jay Serrao](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Pohakoa training grounds FEIS  
**Date:** Thursday, May 8, 2025 8:02:58 PM

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Dear BLNR,

Please reject the FEIS submitted by the Army for lease of Hawaii lands. The military has not cared for the health of the people it's supposed to protect. Red Hill is a great example of the denial of the negative impacts of their practices. Healthy aquifers are vital and essential for our existence here on the Islands. I'm worried about the future of my children and family. Please make sure the Army addresses the impact on all aquifers on the island, ALL protections that are in place to prevent harm to our delicate environment, and an exhaustive plan of remediations efforts that will QUICKLY be taken to remedy negative outcomes as they happen. Red Hill took too long to resolve. Also, have the Army be responsible to clean up existing negative effects they have had on the lands before even considering extending or issuing further leases. Please ensure that they consider all protective measures that need to be in place rather than just thinking they can compensate health claims like they are doing with Red Hill. Please reject the FEIS that has been submitted. The Army has not addressed many essential concerns that we have.

Aloha,

Jay Serrao

**From:** [Kaylene Sheldon](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Testimony In Response To The Army's EIS In Regards To Pohakuloa  
**Date:** Thursday, May 8, 2025 9:27:49 PM

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To Board of Land & Natural Resources:

My name is Kaylene Kauwila Sheldon and I am writing to you in regards to the U.S Army's Final Environmental Impact Statement (EIS) for the proposed retention of 23,000 acres at Pōhakuloa Training Area. I urge the Board to reject the EIS statement and demand that the U.S Army clean up their 'ōpala that has harmed and desecrated an important wahi pana. Please value this precious land and demand the U.S Army's full cooperation to clean up Pohakuloa.

Mahalo nui loa,  
Kaylene Kauwila Sheldon  
Sent from my iPhone

**From:** [Jean Shimose](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Calling on BLNR to Reject the Army's FEIS: Unanswered Questions and Ongoing Harms at Pōhakuloa  
**Date:** Thursday, May 8, 2025 9:13:42 PM

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Aloha Members of the Board of Land and Natural Resources,

Please REJECT the Army's final Environmental Impact Statement (Agenda item D-1) for their proposal to continue to occupy 22,750 acres of State land at Pōhakuloa Training Area on Hawai'i island ("PTA") for an undetermined amount of time and conditions.

Pohakuloa is a conservation district. It is your kuleana as a member of BLNR and a resident of Hawai'i to protect our environment and culture. Live the state motto and be pono.

Thank you for your consideration.

Jean Shimose

Sent from my iPhone



**From:** [Robbie Ann Shimose](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Calling on BLNR to Reject the Army's FEIS: Unanswered Questions and Ongoing Harms at Pōhakuloa  
**Date:** Thursday, May 8, 2025 6:14:33 PM

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a. The FEIS discloses significant lead and heavy metal contamination in PTA lands caused by live fire training. The Army's surface soil sampling detected the following in site soils: antimony, arsenic, cobalt, copper, iron, 1-methylnaphthalene, lead, manganese, naphthalene, selenium, silver, total petroleum hydrocarbons (TPH) as diesel range organics (DRO) and residual range organics, and zirconium. V1 at 3-106

b. The Army said there's no significant impact because low rainfall means the contamination won't spread much and the aquifer is deep. But the Army also concedes "shallower aquifers" were supposed to be tested, but weren't. It's unacceptable to claim there is no significant impact when areas that are more likely to be affected haven't been studied. V1 at 3-193

c. The EPA pointed out PTA soils are highly permeable and some compounds are highly soluble and won't be absorbed into the soil. The EPA asked for soil sampling analysis to show how the Army knows contamination hasn't spread. The Army responded it has not sampled all of its lands "to determine the presence or absence of munitions constituents." V2 at D-210

d. The FEIS does not address logical questions. How can existing and future contamination be removed? Will it be removed? How much has it

already spread into the soils, vegetation, and animal life? How much worse will it get with continued Army operations?

(2) Potential and means to restore these lands.

a. Can the Army clean up these lands? How? To what degree will the lands be remediated? What happens if they can't do it? In response to these questions, the Army refers to FEIS section 3.5.6, which says "cleanup and restoration . . . are not part of the Proposed Action" and "future cleanup and restoration requirements, standard processes, and associated cost are unknown." V1 at 3-122

b. The existing leases only require: "Weapons and shells used in connection with training activities are to be removed to the extent that technical and economic capability exists and provided that expenditure for removal would not exceed the fair market value of the land." DEIS V.1 at 3-14 (emphasis added). Left unchallenged, the Army could simply say that it's too expensive to clean up and leave their mess behind – in fact, the inclusion of such language incentivizes them to do so.

c. The Army said it will comply with the "Comprehensive Environmental Response, Compensation, and Liability Act" (CERCLA), which requires remedial action concerning stored hazardous substances, "necessary to protect human health and the environment with respect to any such substance remaining on the property has been taken before" transferring the land back. However, the Army will not be clear on what this will mean, changing its stance on whether it stores hazardous substances on state lands (see #3c) and refusing to disclose any remediation actions.

(3) Army is withholding information on accumulating contamination.

a. In addition to the harm that has already occurred, how much worse will land contamination get with continued Army operations? What practices does the Army follow to prevent munitions contaminants from accumulating? The Army says it follows Standard Operating Procedures that are not available for public disclosure. V2 at D-211 The EIS only gives a vague summary. V2 at E-15 & E-16

b. The EIS does not tell us how much contamination has accumulated,

despite these procedures, and its impacts.

c. KAHEA asked about PTA's hazardous waste spill risks. The Army responded by: (1) telling KAHEA to file a Freedom of Information Act request for the information, (2) deleting the section describing hazardous waste storage on PTA State lands. Has hazardous waste spilled on state lands? Where are these records?

(4) Why can't the Army start cleaning up now?

a. The state Department of Health ("DOH") commented "There is no need for the Army to wait for the end of the lease period to address known and potential contamination under [federal laws]. Sites identified in the first and second Draft EIS documents . . . that are on state land and no longer within currently active range locations should begin the cleanup process as soon as possible." V2 at D-223

b. The Army flagged this comment as "not resolved".

(5) Have contaminants entered groundwater? How does the Army know either way?

a. The Army says there's no evidence that it has, but also "[g]roundwater quality data are limited"; researchers recommended sampling groundwater in shallower aquifers; and no one has done this sampling or analysis. V1 at 3-193

b. Without completing the research, how can the Army discount the spread of contaminants, especially highly soluble perchlorate, into these water bodies?

(6) Could contaminants have impacts on human health?

a. DHHL "feel[s] strongly" that the Army should do long-term air-quality and water-table testing at PTA. V2 at D-220 The Army declined, pointing to a one-year air quality monitoring program in 2007 that did not find levels outside standards and that the aquifer is very deep. However, the Army admits there is a shallow aquifer that has not been tested despite recommendations to do so.

b. The FEIS is inconsistent on this issue. It discloses there are “potentially complete exposure pathways for human receptors from contaminants within the State-owned land surface soils” but because the same is not true for water and sediment, contaminants are “unlikely to impact public health.” V1 at 3-107

c. The FEIS acknowledges “airborne concentrations of lead on [Department of Defense] firing ranges have exceeded the Occupational Safety and Health Administration permissible exposure limit for some job duties, which might lead to increased blood lead levels”. V1 at 3-117 Yet there is no mitigation or study proposed to prevent this from happening at PTA.

(7) Cumulative impacts of the entirety of PTA

a. The FEIS only considers impacts of continuing military training on 22,750 acres of State lands, even though these training operations are inextricable from the entire 132,000 acres of PTA. What are the true cumulative impacts of these operations? How does PTA as a whole impact Hawai'i's economy? Housing availability? Native species supposedly “habituated” to the sound of military training and potentially exposed to munitions contaminants?

b. What alternatives are foreclosed by using these lands and resources for military training? Land Board staff also point out this is missing from the FEIS Submittal at 23

(8) Fire impacts are worse than disclosed.

a. Between 1975 and August 2024, there were 1,261 fires of which 1007 fires were due to military activities. V1 at 3-283. Pōhakuloa is a TERRIBLE, fire prone place to do military training. Yet, the Army rejects proposals to relocate training - only mitigation for monitoring fires and inhibiting invasive grass growth.

b. The Department of Interior pointed out the “entire population of Palila are restricted to the west slope of Mauna Kea and are extremely vulnerable to an extinction event such as a wildland fire, as happened in 2021.” V2 at D-214

(9) No disclosure of greenhouse gases

- a. The EIS discloses the Army does not have data on its greenhouse gas emissions ("GHGs") for activities on State lands. Why not? The U.S. military reportedly produces more GHGs than the entire nations of Portugal or Denmark,[1] but does not track its own emissions?
- b. At the same time, the FEIS concludes the Army's "generation of GHGs has not meaningfully contributed to the impacts of global or local climate change." V1 at 4-16 How can it reach this conclusion if it does not have data?

(10) Existing mitigation proven insufficient by ongoing impacts.

- a. The FEIS concedes ongoing impacts from past PTA operations - which the Army proposes to continue indefinitely. V1 at 4-11 - 4-25
- b. And yet, proposed new mitigation solely consists in studies, reporting, monitoring, and potentially deploying a biological control directed at reducing wildfires and to formalize an access agreement with Native Hawaiian groups and individuals. V1 at 3-220 As noted by DLNR staff, the Army should have done these studies as part of this EIS - not afterwards.
- c. For all other impacts, the Army will just continue existing mitigation measures. But these are not working because impacts continue to accrue, particularly to cultural resources as pointed out by Land Board staff who disagree that Army cultural resource programs are protecting these resources. Submittal at 23
- d. The FEIS excluded many lands from its survey of historic properties, including iwi kupuna, on state lands. V1 at Fig. 3-8 How can the Army assess impacts to cultural resources if it does not even know if they are there?

Far from providing a comprehensive reference, the Army's FEIS obstinately refuses to disclose the foreseeable harms their actions cause to Hawai'i's land, water, cultural resources, and its people. If the Army does not know, the Board should reject the FEIS and require the Army to conduct necessary investigations as part of this environmental review

process and not relegate these important issues to some unaccounted-for future scenario.

Make no mistake, military preparedness is about killing, not about life. The life of our land and people lay in your hands. I am confident you will choose life.

Mahalo,

Robbie Ann Kauanoemaikalani Shimose

**From:** [Carrie Ann Shiota](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Ho"i Ho"i Pōhakuloa  
**Date:** Thursday, May 8, 2025 7:22:17 PM

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To: Board of Land and Natural Resources  
RE: Testimony for Agenda Item D-1, scheduled for May 9th 2025  
From: Carrie Ann Shiota

Aloha Land Board Members,  
On behalf of my 'ohana, I am writing to urge you to reject the Army's FEIS relating to the proposed retention of leased lands at Pōhakuloa Training Area.

The plain language of the EIS states "Because the Army's Proposed Action involves retention of State-owned land, this EIS also must fulfill the Hawai'i EIS statute and implementing rule, codified in Hawai'i Revised Statutes (HRS) Chapter 343..."

Pursuant to H.R.S. Chapter 343, Hawaii's EIS statute, the Army's FEIS and related documentation are wholly inadequate.

**In effect, the Department of Land and Natural Resources own [staff report](#) is an admission that the EIS is inadequate:**

"Throughout the EIS process, Staff had and continues to have concerns with the following; 1) That the contents of the draft/final EIS do not fully declare the environmental implications of the proposed action and does not discuss all reasonably foreseeable consequences, and 2) The data and analysis do not commensurate with the importance of the impacts."

**In short, the FEIS analysis of "direct impacts" falls far short of a complete analysis** as highlighted by Sierra Club of Hawai'i and other aloha 'āina stewards who have closely examined the EIS and submitted testimony to reject this EIS.

**From Kaho'olawe to Red Hill to Pōhakuloa, the United States military has a horrific track of accumulating contamination in occupied Hawai'i - endangering the health and safety of 'āina, and all living beings.**

Pursuant to the Hawai'i Constitution, it's time to reject the draft EIS and rematriate Pōhakuloa!

Mahalo,

Carrie Ann Shiota

Honolulu, Hawai'i 96818





**From:** [Ash](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Pohakuloa testimony  
**Date:** Thursday, May 8, 2025 6:49:36 PM

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Aloha,

My name is Ashley Lilinoe Adams Soderberg. I was born and raised in Hawai‘i and have lived here my entire life.

The military’s continued presence and bombardment at Pōhakuloa constitutes a profound violation of Hawai‘i’s sacred landscapes. This destruction not only undermines the ecological integrity of the land but also desecrates spaces of deep cultural and spiritual significance to Kānaka ‘Ōiwi. Such actions reflect a continued disregard for the values and well-being of our people.

I am submitting this testimony to urge you to reject the FEIS for continued military use of Pōhakuloa. This proposal fails to meet the environmental, legal, cultural, and ethical standards our islands deserve.

Mahalo.

**From:** [Emi Soga](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Calling on BLNR to reject the Army's FEIS  
**Date:** Thursday, May 8, 2025 9:07:33 PM

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Aloha Members of the Board of Land and Natural Resources,

Please REJECT the Army's final Environmental Impact Statement (Agenda item D-1) for their proposal to continue to occupy 22,750 acres of State land at Pōhakuloa Training Area on Hawai'i island ("PTA") for an undetermined amount of time and conditions.

The Board should require the Army to provide the following information to assist with the Board's future decision making on any "real estate" proposal for PTA:

(1) Contamination from past, present, and future military actions.

a. The FEIS discloses significant lead and heavy metal contamination in PTA lands caused by live fire training. The Army's surface soil sampling detected the following in site soils: antimony, arsenic, cobalt, copper, iron, 1-methylnaphthalene, lead, manganese, naphthalene, selenium, silver, total petroleum hydrocarbons (TPH) as diesel range organics (DRO) and residual range organics, and zirconium. **V1 at 3-106**

b. The Army said there's no significant impact because low rainfall means the contamination won't spread much and the aquifer is deep. But the Army also concedes "shallower aquifers" were supposed to be tested, but weren't. It's unacceptable to claim there is no significant impact when areas that are more likely to be affected haven't been studied. **V1 at 3-193**

c. The EPA pointed out PTA soils are highly permeable and some compounds are highly soluble and won't be absorbed into the soil. The EPA asked for soil sampling analysis to show how the Army knows contamination hasn't spread. The Army responded it has not sampled all of its lands "to determine the presence or absence of munitions constituents." **V2 at D-210**

d. The FEIS does not address logical questions. How can existing and

future contamination be removed? Will it be removed? How much has it already spread into the soils, vegetation, and animal life? How much worse will it get with continued Army operations?

(2) Potential and means to restore these lands.

a. *Can the Army clean up these lands? How? To what degree will the lands be remediated? What happens if they can't do it?* In response to these questions, the Army refers to FEIS section 3.5.6, which says “cleanup and restoration . . . are not part of the Proposed Action” and “future cleanup and restoration requirements, standard processes, and associated cost are unknown.” **V1 at 3-122**

b. The existing leases only require: “Weapons and shells used in connection with training activities are to be removed to the extent that technical and economic capability exists and provided that expenditure for removal would not exceed the fair market value of the land.” **DEIS V.1 at 3-14** (emphasis added). Left unchallenged, the Army could simply say that it's too expensive to clean up and leave their mess behind – in fact, the inclusion of such language incentivizes them to do so.

c. The Army said it will comply with the “Comprehensive Environmental Response, Compensation, and Liability Act” (CERCLA), which requires remedial action concerning stored hazardous substances, “necessary to protect human health and the environment with respect to any such substance remaining on the property has been taken before” transferring the land back. However, the Army will not be clear on what this will mean, changing its stance on whether it stores hazardous substances on state lands (see #3c) and refusing to disclose any remediation actions.

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a. In addition to the harm that has already occurred, how much worse will land contamination get with continued Army operations? What practices does the Army follow to prevent munitions contaminants from accumulating? The Army says it follows Standard Operating Procedures

that are not available for public disclosure. **V2 at D-211** The EIS only gives a vague summary. **V2 at E-15 & E-16**

b. The EIS does not tell us how much contamination has accumulated, despite these procedures, and its impacts.

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b. The Army flagged this comment as "not resolved".

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b. Without completing the research, how can the Army discount the spread of contaminants, especially highly soluble perchlorate, into these water bodies?

(6) Could contaminants have impacts on human health?

a. DHHL "feel[s] strongly" that the Army should do long-term air-quality and water-table testing at PTA. **V2 at D-220** The Army declined, pointing to a one-year air quality monitoring program in 2007 that did not find levels outside standards and that the aquifer is very deep. However,

the Army admits there is a shallow aquifer that has not been tested despite recommendations to do so.

b. The FEIS is inconsistent on this issue. It discloses there are “potentially complete exposure pathways for human receptors from contaminants within the State-owned land surface soils” but because the same is not true for water and sediment, contaminants are “unlikely to impact public health.” **V1 at 3-107**

c. The FEIS acknowledges “airborne concentrations of lead on [Department of Defense] firing ranges have exceeded the Occupational Safety and Health Administration permissible exposure limit for some job duties, which might lead to increased blood lead levels”. **V1 at 3-117** Yet there is no mitigation or study proposed to prevent this from happening at PTA.

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b. What alternatives are foreclosed by using these lands and resources for military training? Land Board staff also point out this is missing from the FEIS **Submittal at 23**

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a. Between 1975 and August 2024, there were 1,261 fires of which 1007 fires were due to military activities. **V1 at 3-283**. Pōhakuloa is a TERRIBLE, fire prone place to do military training. Yet, the Army rejects proposals to relocate training - only mitigation for monitoring fires and inhibiting invasive grass growth.

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are restricted to the west slope of Mauna Kea and are extremely vulnerable to an extinction event such as a wildland fire, as happened in 2021.” **V2 at D-214**

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b. At the same time, the FEIS concludes the Army’s “generation of GHGs has not meaningfully contributed to the impacts of global or local climate change.” **V1 at 4-16** How can it reach this conclusion if it does not have data?

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a. The FEIS concedes ongoing impacts from past PTA operations - which the Army proposes to continue indefinitely. **V1 at 4-11 - 4-25**

b. And yet, proposed new mitigation solely consists in studies, reporting, monitoring, and potentially deploying a biological control directed at reducing wildfires and to formalize an access agreement with Native Hawaiian groups and individuals. **V1 at 3-220** As noted by DLNR staff, the Army should have done these studies as part of this EIS - not afterwards.

c. For all other impacts, the Army will just continue existing mitigation measures. But these are not working because impacts continue to accrue, particularly to cultural resources as pointed out by Land Board staff who disagree that Army cultural resource programs are protecting these resources. **Submittal at 23**

d. The FEIS excluded many lands from its survey of historic properties, including iwi kupuna, on state lands. **V1 at Fig. 3-8** How can the Army assess impacts to cultural resources if it does not even know if they are there?

Far from providing a comprehensive reference, the Army’s FEIS obstinately refuses

to disclose the foreseeable harms their actions cause to Hawai'i's land, water, cultural resources, and its people. If the Army does not know, the Board should reject the FEIS and require the Army to conduct necessary investigations as part of this environmental review process and not relegate these important issues to some unaccounted-for future scenario.

Mahalo for considering my testimony.

Emi Soga,

Resident of North Hilo

## **Testimony of Kumu Hula Kawaikapuokalani Frank Hewett**

To the Board of Land and Natural Resources

May 9, 2025 – Agenda Item D-1

RE: Request the REJECTION of the Final Environmental Impact Statement (FEIS) for Army Training Land Retention at Pōhakuloa

Aloha nui,

My name is Kawaikapuokalani Frank Hewett. I am a kumu hula, a cultural practitioner, and a lineal descendant of iwi kūpuna at Pōhakuloa. I was born and raised in our traditions. My ‘ike comes from those who came before me, and I carry that knowledge in my chants, in my hula, and in my kuleana to speak for our ancestors and our ‘āina.

Attached is my genealogy.

I offer this testimony with a heavy heart, and with deep aloha, asking you to reject the Army’s Final Environmental Impact Statement for the continued use of Pōhakuloa. I do not come to this decision lightly. But I cannot remain silent when the bones of our kūpuna are once again put at risk.

I have a kuleana and kulana to speak for this ‘āina.

Pōhakuloa is not just land—it is a wahi kapu. The Army may see rocks and open space, but we see the stories, the bones, and the mana of our ancestors. I carry the kuleana passed down to me to protect these places. That kuleana is not something I gave myself. It comes from my genealogy and from the ‘āina itself.

The FEIS does not reflect that truth. It does not acknowledge or consult those of us who are connected to this land in a spiritual and genealogical way. Our voices were not asked for, and now they ask you to accept a document that leaves us out.

The FEIS is incomplete, and the process has not been pono.

According to the State Historic Preservation Division, large areas of Pōhakuloa have still not been properly surveyed. How can the Army claim they know the impacts if they haven’t even looked? SHPD also said that past military activity has already harmed cultural sites—sites that may include moepū and iwi kūpuna.

What is worse, the Army left out findings from 2022—significant discoveries of cultural artifacts and items tied to our ancestors. This is not a small mistake. This is a serious omission. If my kūpuna were found, and then ignored in the final report, what message does that send to our people? [1]

Our connection to this ‘āina is not symbolic. It is tangible.



The FEIS talks about cultural access like it's a formality. But for those of us who carry genealogy back to this land, access is sacred. Without it, we cannot fulfill our kuleana. SHPD recognized this too. Yet the Army offers no guarantees that lineal descendants will have access to care for the iwi, the stones, or the sacred places that remain.

I am not a stakeholder. I have koko from this land. And I have spent my life teaching others to honor the 'ike and traditions that rise from our kūpuna and our 'āina.

I respectfully urge you to reject this FEIS.

I do not stand alone. I stand with our ancestors, with the land, and with the truth that this process has not met the standard that our culture, our law, or our people deserve.

I ask you to listen with your na'au, not just your eyes. Reject this EIS.

Me ka ha'aha'a a me ka 'oia'i'o,  
Kumu Hula Kawaikapuokalani Frank Hewett

[1] SHPD Comments, Exhibit A, DLNR Staff Submittal, Agenda Item D-1, May 9, 2025, referencing Section 3.4.4.3 (page 3-75) of the Final Environmental Impact Statement.

**From:** [Jhirmen Susumu](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Justice  
**Date:** Thursday, May 8, 2025 7:10:35 PM

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Aloha e Chair Chang and members of the Board of Land and Natural Resources,

My name is Jhirmen Susumu. I am from Ma'ili, and I am writing to express my strong opposition to the approval of the Army's Final Environmental Impact Statement (FEIS) for the Pōhakuloa Training Area (PTA).

Pōhakuloa is not just any place—it is a wahi pana and wahi kūpuna, a sacred, ancestral place. It is home to irreplaceable Native Hawaiian cultural sites and some of Hawaii's most endangered species. The Army has already admitted to widespread contamination, not just in Pōhakuloa, but anywhere they have touched in Hawai'i, including Waianae, my community's piko. Similarly, the Army cannot prove that this contamination has not spread into water or ecosystems—the army gatekeeps this information, as well as any safety procedures or spill data. They also delete critical information from their FEIS and other public access record(s). Fires, endangered species, and climate harms have been dismissed without evidence, and the FEIS they have submitted evades Hawaii law by ignoring very obvious cumulative impacts.

The approval of this FEIS does not reflect the will of Native Hawaiians, the traditional custodians of this land, and does not reflect your constitutional responsibility to the public trust of the water that feeds and provides for Hawai'i. In *Kahaulelio v. DLNR* in 2019, the state of Hawaii has already been proven to breach its constitutional trust duty

by failing to reasonably monitor and inspect trust lands at Pōhakuloa leased to the US military, failing to ensure compliance with cleanup and safety provision, failing to take action after learning of possible contamination, and failing to document efforts and provide transparency to the public. Ultimately, the potential approval of this FEIS does not reflect what is pono.

In today's political climate, where science is being dismissed daily, where federal dollars are being pulled based on wrongful agendas, and where the very idea of 'āina protections are being booted daily, I urge you to be on the right side of history. It is unacceptable and wrong that anyone gets to flit around laws and regulations that were created to protect our 'āina. These safeguards exist for a reason. Demand the Army clean up their mess, and rightfully restore the land to its natural state to begin a much-needed process of healing and restoration.

Thank you for considering my testimony in your final decision, and allowing me to use my voice on this important matter.

Ke aloha 'āina,

Jhirmen Susumu

**From:** [Kayko Tamaki](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Testimony Opposing the Final Environmental Impact Statement (EIS) for U.S. Military Use of Pōhakuloa Training Area  
**Date:** Thursday, May 8, 2025 5:30:40 PM

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To:  
Chair Dawn Chang  
Department of Land and Natural Resources  
& Honorable Committee Members

Aloha e Chair Chang and Esteemed Committee Members,

I write today as a concerned Kanaka Maoli and steward of this 'āina to urge your firm rejection of the Final Environmental Impact Statement (EIS) submitted in support of continued military use of the Pōhakuloa Training Area (PTA).

Pōhakuloa is not merely land. It is sacred—a wahi pana rooted in ancestral knowledge, ceremony, and responsibility. For over 70 years, this sacred landscape has endured relentless degradation under U.S. military occupation. The submission of this EIS represents not responsible stewardship, but a continuation of the desecration and dispossession of our homeland.

I offer this testimony on behalf of our lāhui to raise four urgent and interconnected concerns:

1. Continued Desecration of Sacred Sites

Pōhakuloa is rich in cultural and spiritual significance, housing ancient trails, heiau, and iwi kūpuna. Military activity has repeatedly bombed and bulldozed these sacred spaces, despite legal and ethical protections. This is a violation not only of Native Hawaiian religious and cultural rights but of the DLNR's kuleana to mālama 'āina.

2. Environmental Irreversibility

The EIS gravely underestimates the environmental damage caused by decades of military activity. The use of live ammunition, chemical contaminants, and heavy artillery has poisoned soil, threatened endangered species, and disrupted fragile ecosystems. No mitigation plan within the EIS adequately restores what has already been lost—let alone justifies further occupation.

3. Illegitimacy of U.S. Military Occupation

The U.S. military presence at Pōhakuloa stems from an illegal overthrow and unlawful annexation of the Hawaiian Kingdom. Therefore, its continued use of Hawaiian lands for destructive military purposes is a direct violation of international law, self-determination, and the political rights of Kanaka Maoli.

4. Failure to Uphold the Public Trust Doctrine

As trustees of the land under Article XI, Section 1 of the Hawai'i State Constitution, DLNR is legally bound to conserve and protect Hawai'i's natural and cultural resources for present and future generations. Approving this EIS would be a failure of that trust—permitting further destruction rather than conservation.

In the face of pressure from federal agencies, I implore this committee to stand on the side of justice, pono, and true aloha 'āina. The legacy you leave will be remembered not by your deference to power, but by your courage to protect the most sacred and irreplaceable parts

of our homeland.

The time to act is now. Reject this EIS. Return the land to its rightful caretakers. And let the healing of Pōhakuloa begin.

Me ka 'oia'i'o,  
Kayko Tamaki  
Honolulu, Oahu

**From:** [Wolfie Thomas](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Pōhakuloa  
**Date:** Thursday, May 8, 2025 5:32:07 PM

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Please REJECT the Pōhakuloa EIS!!!

Mahalo  
Wolfie Thomas

**From:** [Jasmine Torres](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Fwd: Calling BLNR to reject the army's FEIS: unanswered questions and ongoing harms at pohakuloa  
**Date:** Thursday, May 8, 2025 8:31:30 PM

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----- Forwarded message -----

From: **Jasmine Torres** <[kahelelanidreams@gmail.com](mailto:kahelelanidreams@gmail.com)>  
Date: Thu, May 8, 2025 at 8:28 PM  
Subject: Calling BLNR to reject the army's FEIS: unanswered questions and ongoing harms at pohakuloa  
To: <[blnrtestimony@hawaii.gov](mailto:blnrtestimony@hawaii.gov)>

Aloha Members of the Board of Land and Natural Resources,

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a. The FEIS discloses significant lead and heavy metal contamination in PTA lands caused by live fire training. The Army's surface soil sampling detected the following in site soils: antimony, arsenic, cobalt, copper, iron, 1-methylnaphthalene, lead, manganese, naphthalene, selenium, silver, total petroleum hydrocarbons (TPH) as diesel range organics (DRO) and residual range organics, and zirconium. **V1 at 3-106**

b. The Army said there's no significant impact because low rainfall means the contamination won't spread much and the aquifer is deep. But the Army also concedes "shallower aquifers" were supposed to be tested, but weren't. It's unacceptable to claim there is no significant impact when areas that are more likely to be affected haven't been studied. **V1 at 3-193**

c. The EPA pointed out PTA soils are highly permeable and some compounds are highly soluble and won't be absorbed into the soil. The EPA asked for soil sampling analysis to show how the Army knows contamination hasn't spread. The Army responded it has not sampled all of its lands "to determine the presence or absence of munitions constituents." **V2 at D-210**

d. The FEIS does not address logical questions. How can existing and future contamination be removed? Will it be removed? How much has it already spread into the soils, vegetation, and animal life? How much worse will it get with continued Army operations?

(2) Potential and means to restore these lands.

a. *Can* the Army clean up these lands? How? To what degree will the lands be remediated? What happens if they can't do it? In response to these questions, the Army refers to FEIS section 3.5.6, which says "cleanup and restoration . . . are not part of the Proposed Action" and "future cleanup and restoration requirements, standard processes, and associated cost are unknown." **V1 at 3-122**

b. The existing leases only require: "Weapons and shells used in connection with training activities are to be removed to the extent that technical and economic capability exists and provided that expenditure for removal would not exceed the fair market value of the land." **DEIS V.1 at 3-14** (emphasis added). Left unchallenged, the Army could simply say that it's too expensive to clean up and leave their mess behind – in fact, the inclusion of such language incentivizes them to do so.

c. The Army said it will comply with the "Comprehensive Environmental Response, Compensation, and Liability Act" (CERCLA), which requires remedial action concerning stored hazardous substances, "necessary to protect human health and the environment with respect to any such substance remaining on the property has been taken before" transferring the land back. However, the Army will not be clear on what this will mean, changing its stance on whether it stores hazardous substances on state lands (see #3c) and refusing to disclose any remediation actions.



(3) Army is withholding information on accumulating contamination.

a. In addition to the harm that has already occurred, how much worse will land contamination get with continued Army operations? What practices does the Army follow to prevent munitions contaminants from accumulating? The Army says it follows Standard Operating Procedures that are not available for public disclosure. **V2 at D-211**  
The EIS only gives a vague summary. **V2 at E-15 & E-16**

b. The EIS does not tell us how much contamination has accumulated, despite these procedures, and its impacts.

c. KAHEA asked about PTA's hazardous waste spill risks. The Army responded by: (1) telling KAHEA to file a Freedom of Information Act request for the information, (2) deleting the section describing hazardous waste storage on PTA State lands. Has hazardous waste spilled on state lands? Where are these records?

(4) Why can't the Army start cleaning up now?

a. The state Department of Health ("DOH") commented "There is no need for the Army to wait for the end of the lease period to address known and potential contamination under [federal laws]. Sites identified in the first and second Draft EIS documents . . . that are on state land and no longer within currently active range locations should begin the cleanup process as soon as possible." **V2 at D-223**

b. The Army flagged this comment as "not resolved".

(5) Have contaminants entered groundwater? How does the Army know either way?

a. The Army says there's no evidence that it has, but also "[g]roundwater quality data are limited"; researchers recommended sampling groundwater in shallower aquifers; and no one has done this sampling or analysis. **V1 at 3-193**

b. Without completing the research, how can the Army discount the spread of contaminants, especially highly soluble perchlorate, into these water bodies?

(6) Could contaminants have impacts on human health?

a. DHHL “feel[s] strongly” that the Army should do long-term air-quality and water-table testing at PTA. **V2 at D-220** The Army declined, pointing to a one-year air quality monitoring program in 2007 that did not find levels outside standards and that the aquifer is very deep. However, the Army admits there is a shallow aquifer that has not been tested despite recommendations to do so.

b. The FEIS is inconsistent on this issue. It discloses there are “potentially complete exposure pathways for human receptors from contaminants within the State-owned land surface soils” but because the same is not true for water and sediment, contaminants are “unlikely to impact public health.” **V1 at 3-107**

c. The FEIS acknowledges “airborne concentrations of lead on [Department of Defense] firing ranges have exceeded the Occupational Safety and Health Administration permissible exposure limit for some job duties, which might lead to increased blood lead levels”. **V1 at 3-117** Yet there is no mitigation or study proposed to prevent this from happening at PTA.

(7) Cumulative impacts of the entirety of PTA

a. The FEIS only considers impacts of continuing military training on 22,750 acres of State lands, even though these training operations are inextricable from the entire 132,000 acres of PTA. What are the true cumulative impacts of these operations? How does PTA as a whole impact Hawai‘i’s economy? Housing availability? Native species supposedly “habituated” to the sound of military training and potentially exposed to munitions contaminants?

b. What alternatives are foreclosed by using these lands and resources for military training? Land Board staff also point out this is missing from the FEIS **Submittal at 23**

(8) Fire impacts are worse than disclosed.

a. Between 1975 and August 2024, there were 1,261 fires of which 1007 fires were due to military activities. **V1 at 3-283.** Pōhakuloa is a

TERRIBLE, fire prone place to do military training. Yet, the Army rejects proposals to relocate training - only mitigation for monitoring fires and inhibiting invasive grass growth.

b. The Department of Interior pointed out the “entire population of Palila are restricted to the west slope of Mauna Kea and are extremely vulnerable to an extinction event such as a wildland fire, as happened in 2021.” **V2 at D-214**

(9) No disclosure of greenhouse gases

a. The EIS discloses the Army does not have data on its greenhouse gas emissions (“GHGs”) for activities on State lands. Why not? The U.S. military reportedly produces more GHGs than the entire nations of Portugal or Denmark,[1] but does not track its own emissions?

b. At the same time, the FEIS concludes the Army’s “generation of GHGs has not meaningfully contributed to the impacts of global or local climate change.” **V1 at 4-16** How can it reach this conclusion if it does not have data?

(10) Existing mitigation proven insufficient by ongoing impacts.

a. The FEIS concedes ongoing impacts from past PTA operations - which the Army proposes to continue indefinitely. **V1 at 4-11 - 4-25**

b. And yet, proposed new mitigation solely consists in studies, reporting, monitoring, and potentially deploying a biological control directed at reducing wildfires and to formalize an access agreement with Native Hawaiian groups and individuals. **V1 at 3-220** As noted by DLNR staff, the Army should have done these studies as part of this EIS - not afterwards.

c. For all other impacts, the Army will just continue existing mitigation measures. But these are not working because impacts continue to accrue, particularly to cultural resources as pointed out by Land Board staff who disagree that Army cultural resource programs are protecting these resources. **Submittal at 23**

d. The FEIS excluded many lands from its survey of historic properties, including iwi kupuna, on state lands. **V1 at Fig. 3-8** How

can the Army assess impacts to cultural resources if it does not even know if they are there?

Far from providing a comprehensive reference, the Army's FEIS obstinately refuses to disclose the foreseeable harms their actions cause to Hawai'i's land, water, cultural resources, and its people. If the Army does not know, the Board should reject the FEIS and require the Army to conduct necessary investigations as part of this environmental review process and not relegate these important issues to some unaccounted-for future scenario.

Mahalo for considering my testimony.  
Jasmine Kapiolani Torres

**From:** [Mililani Trask-Batti](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Stop the bombing  
**Date:** Thursday, May 8, 2025 6:33:01 PM

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Aloha Land Board Members:

I am writing to express my strong opposition to the U.S. Army's proposed retention of leased lands at Pōhakuloa Training Area, and to urge the land board to reject the Army's EIS.

Pōhakuloa is not just a piece of land—it is a wahi pana, a sacred and storied place, home to irreplaceable Native Hawaiian cultural sites and some of Hawai'i's most endangered species. The Army has not demonstrated the capacity or will to serve as a proper steward of this land, and the FEIS fails to meaningfully address these concerns.

For example, the Army's actions have already resulted in the burning of nearly 20,000 acres, including designated critical habitat for native flora and fauna. This is unacceptable. Additionally, the ongoing use of live-fire and bombing in the impact area raises serious concerns about environmental contamination, safety, and long-term degradation of both the land and water.

Military training activities of this scale are simply not compatible with conservation, cultural integrity, or aloha 'āina. Enough is enough.

The EIS is insufficient and should be rejected on several grounds:

Inadequate Environmental and Cultural Impact Analysis

Lack of a sufficient plan to mitigate impacts to cultural and natural resources

Concerns about depleted uranium on the site have gone unaddressed

Military usage is incompatible with the conservation district designation

The approval of the EIS ultimately conflicts with the BLNR's constitutional duty mālama 'āina

I urge the members of the land board to respect the land, the culture, and

the people of Hawai'i by rejecting the Army's FEIS for Pōhakuloa. It's time to return these lands and begin a real process of healing and restoration.

Sincerely,

Mililani K. Trask-Batti, MD, MPH  
Waiākea, Hawai'i

Isis Usborne  
The Public Trust Under the Hawai‘i Constitution  
Prof. Pollack  
Final Paper  
December 20, 2024

**Opposing or Limiting U.S. Military Land Use in Hawai‘i via the Public Trust Doctrine  
Enshrined in the Hawai‘i Constitution**

**I. Introduction**

The U.S. military’s degradational use, access to, and control over Hawai‘i’s natural resources is inconsistent with the Hawai‘i State Constitution’s public trust and clean and healthy environment provisions. The upcoming expiration of certain leases between the State, who owns the land, and the U.S. military, who use the land, thus pose a legal problem as well as an opportunity for change in how the lands at issue are handled. This discussion may have important implications for the future of land use and resource protection in the context of the U.S. military and its relationship to the State of Hawai‘i, Hawai‘i’s people, Native Hawaiians (hereafter referred to as *kānaka maoli*), and the (in some ways latent, in other ways active) Nation of Hawai‘i.

***A. Relevant Constitutional Provisions***

Article XI, Section 1 establishes that all public natural resources, including land, water, and air, “are held in a trust for the benefit of the people,” and that the State must conserve and protect these resources for that purpose. Further, this provision requires that the State “promote the development and utilization of these resources in a manner consistent with their conservation and in furtherance of the self-sufficiency of the State.”

Article XI, Section 9 establishes a right to a clean and healthful environment as defined by laws relating to environmental quality, creating a cause of action under its terms that may be enforceable by any person against any party (subject to reasonable legal limitations and regulations).

Article XII, Section 4 affirms that ceded lands must be “held by the State as a public trust for native Hawaiians and the general public.” Ceded lands are those that were taken from the Kingdom of Hawai‘i by U.S. forces and subsequently given to the State of Hawai‘i via the Admission Act. Since this change in land ownership/control occurred by force and not consent, and in the absence of a proper treaty of annexation before Statehood occurred, some scholars prefer the term “Hawaiian trust lands” to ceded lands; these terms may be used interchangeably in this paper.

Finally, Article XVI, Section 16 asserts that all constitutional provisions are “self-executing to the fullest extent that their respective natures permit.”

### ***B. The U.S. Military Leases Expiring in 2029***

In the coming years, leaders in Hawai‘i will negotiate with the U.S. military about land tenure over several parcels of ceded land on three different islands whose leases are expiring in 2029 - 65 years after the State, represented by the Board of Land and Natural Resources, allowed



the U.S. military to exchange the use of 29,000 acres of Hawaiian trust land for \$1 per lease.



Service	Location	Island	Acres	Exp Year	Notes
Army* (Figure A-1)	Pōhakuloa Training Area (PTA)	Hawai'i	22,971.0	2029	Saddleback Road Lease
	Kahuku Training Area	O'ahu	1,150.0	2029	Parcel Lease
	Kawailoa Training Area (Poamoho)	O'ahu	4,390.0	2029	East Wahiawā Parcel Lease
	Mākua Military Reservation (MMR)	O'ahu	782.0	2029	Wai'anae Parcel Lease
Navy (Figure A-2)	PMRF	Kaua'i	391.65	2029	Main Base Leases
	PMRF	Kaua'i	7,445.41	2029/2030	Main Base Easements
	PMRF - Offshore	Kaua'i	7,680.0	2029	Ocean Right of Way Lease
	Kamokala Ridge	Kaua'i	88.83	2029	Lease
	East of PMRF Main Base	Kaua'i	0.29	2029	Water Well Lease
	Mākaha Ridge	Kaua'i	203.1	2030	Lease
	Mākaha Ridge	Kaua'i	42.21	2030	Easement
	Miloli'i Ridge	Kaua'i	0.015	2030	Lease
Air Force (Figure A-3)	PMRF Ni'ihau	Ni'ihau	1,167.0	2028	Test Vehicle Land Recovery Site Lease
	Ka'ena Point Satellite Tracking Station	O'ahu	86.72	2029	Lease
	Ka'ena Point Satellite Tracking Station	O'ahu	51.47	2029	Easement
	Kā'ala Air Force Station	O'ahu	1.8	2028	Lease
	Kōke'e Air Force Station	Kaua'i	8.45	2030	Lease
	Remote Maui Experimental Sites	Maui	6.17	2021/2023	Leases
Total			46,471.1		

\*Army expiring easements are not included in the table as they are small in scale, routine, and not associated to the 65-year lease.

**Table 1 – Expiring Leases and Easements**

*Exhibit 1. A screenshot of the U.S. Department of Defense's Hawai'i Military Land Use Master Plan, showing a table of all of the expiring leases and easements currently being utilized by different branches of the military.<sup>1</sup>*

Currently, these locations are being used by different military branches and with various levels of alleged importance to “defense readiness.” Each major location will be considered here in turn, with particular focus on Army holdings since these make up the bulk of the land use.

### **1. Pacific Missile Range Facility (Kaua'i - Navy)**

Located on the west coast of Kaua'i, the PMRF is a Navy facility that covers 8,348 acres of ceded lands - the Navy website boasts that it is “the world’s largest instrumented multi-

<sup>1</sup> US Indo-Pacific Command. “Hawai'i Military Land Use Master Plan” 2021 Interim Update FINAL - APRIL 2021. <https://drive.google.com/file/d/1Uov0HevmHkfMG-ma-iEzxYgECHue67aY/view>

domain range capable of supporting surface, subsurface, air, and space operations simultaneously.”<sup>2</sup> This renewal is being considered in conjunction with the National Aeronautics & Space Administration (NASA), which currently has use of a much smaller parcel just to the north. According to their joint Environmental Impact Statement (EIS) website, the “various real estate agreements [governing the Navy and NASA use of these lands] expire between 2027 and 2030, with the bulk of expirations happening in 2029 and 2030.”

At the most recent draft EIS “scoping” meeting with community members, some residents expressed concerns that the Navy’s use of Mānā Plains as part of this parcel has prevented them from engaging in traditional food gathering and cultural access that they had before the leases and the increased restrictions after 9/11/2001. Prior to plantations draining the area in the 1900s, these plains were one of the largest seasonal wetlands in the archipelago.<sup>3</sup>

## ***2. Mākua Military Reservation (O‘ahu - Army)***

The U.S. Army is leasing 782 acres<sup>4</sup> of MMR from the State (a strip of land near the shore/mouth of the main Mākua valley), while the remaining 3,408 acres are “owned/managed” by the Federal U.S. Government directly.<sup>5</sup> This follows the nearly 100 years of training that the U.S. military has engaged in at this location, practicing maneuvers, engaging in live fire training, and running bomb testing.

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<sup>2</sup> “PACIFIC Missile (sic) Range Facility Barking Sands” Website  
<https://cnrh.cnrc.navy.mil/Installations/PMRF-Barking-Sands/>

<sup>3</sup> Scott Yunker. “Navy, NASA want to renew Kaua‘i leases – West Side locals show support, opposition” June 9, 2024. Kaua‘i Now News. <https://kauainownews.com/2024/06/09/navy-nasa-want-to-renew-kauai-leases-west-side-locals-show-support-opposition/>

<sup>4</sup> “Draft Environmental Impact Statement for Army Training Land Retention at Kahuku Training Area, Kawaihoa-Poamoho Training Area, and Makua Military Reservation, Island of O‘ahu, Hawai‘i” June 7, 2024. <https://www.federalregister.gov/documents/2024/06/07/2024-12573/draft-environmental-impact-statement-for-army-training-land-retention-at-kahuku-training-area>

<sup>5</sup> <https://dlnr.hawaii.gov/wp-content/uploads/2023/10/D-11-1.pdf>

This location spans multiple valleys on the Wai‘anae coast that are home to many endemic and endangered flora and fauna, and its main valley is of deep cultural and spiritual importance to kānaka maoli. Many important archaeological sites have been damaged by military activity in this area. This location is thus also the site of decades of resistance by community members against military use and control, especially after forced evictions of families from the area that occurred during WWII were never addressed - those residents were promised they would be able to return after the war was over, but the U.S. military has maintained its control over the area.

In the 1990s, fires would often break out as a result of live fire training - then in 1998, a “great fire” caused by a misfire during one such instance of training resulted in 800 acres of land being burned. The Army voluntarily ceased live-fire training after that because the damage impacted their activities. The same month that fire occurred, a nonprofit group called Mālama Mākua filed two legal cases with the support of Earthjustice Legal Defense Fund, which effectively prevented live-fire training from occurring while the matter was being litigated. After 9/11/2001, the Army agreed to a compromise agreement to settle the issue; that document required the Army to complete an EIS, and if the EIS was not completed within three years, the Army wouldn’t engage in any live-fire training until it was completed in a final version.

In exchange for this agreement (known as O4S), the Army was allowed to resume live-fire training on October 17, 2001. Additional concessions included regular public access to Mākua Valley, public observation of live-fire trainings, clean up standards for unexploded ordnance (UXO), and a commitment to complete other studies (environmental, archaeological, and cultural) that would be requested by Mālama Mākua.

Due to the Army's noncompliance with the EIS completion requirement in the O4S, live-fire training has not occurred in MMR since October 2004.<sup>6</sup> Monthly public access has continued with folks signing up through Mālama Mākua for educational and cultural experiences, subject to strict limitations, such as background checks and escorting by Army officials.

### ***3. Kahuku Training Area (O'ahu - Army)***

The second parcel of land on O'ahu in the northeast, KTA, is similarly split between federal land and State land: 8,330 acres at this location are "owned/managed" by the Federal Government, with the remaining 1,150 acres being leased to the Army by the State. This location is used for "high-density, company-level helicopter training in a tactical environment, large-scale ground maneuver training, and air support training," and has been used for training since the mid-1950s.<sup>7</sup>

### ***4. Kawaihoa-Poamoho (O'ahu - Army)***

The third parcel of land on O'ahu is located south of KTA, in the Ko'olau Mountains just east of Wahiawā. Poamoho is part of the 'Ewa Forest Reserve, and comprises 4,390 acres of State land leased to the Army. Training in this location is mostly centered on low altitude technical training for helicopter aviation, and other activities include wildfire prevention as well

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<sup>6</sup> Ileana Haunani Ruela. "Mākua Valley - A Thesis Submitted to the Graduate Division of the University of Hawai'i at Mānoa in Partial Fulfillment of the Requirements for the Degree of Master of Arts in Sociology." May 2013.

<https://static1.squarespace.com/static/5b084e78ee1759c1c50968e5/t/5ce10a080f06d30001fef039/1558252045610/MakuaValley.IleanaRuelasMastersThesis.050513.pdf>

<sup>7</sup> "Draft Environmental Impact Statement for Army Training Land Retention at Kahuku Training Area, Kawaihoa-Poamoho Training Area, and Makua Military Reservation, Island of O'ahu, Hawai'i"

as natural and cultural resource management. “There are no U.S. Government-owned facilities, utilities, or infrastructure features”<sup>8</sup> at this location, which has been used for training since 1964.

### ***5. Pōhakuloa Training Area (Moku o Keawe/Big Island - Army)***

Finally, on the Big Island, also known as Moku o Keawe, PTA is comprised of 23,000<sup>9</sup> acres of land currently leased to the Army from the State, as well as an additional 110,000 acres controlled by the Federal Government.<sup>10</sup> All of the State land is conservation zoned,<sup>11</sup> and is also home to many endangered and endemic species of flora and fauna. Additionally, the land sits over what is probably the largest aquifer in the islands, and the location overall is a very important spiritual and cultural site for kānaka maoli, housing many ancestral bones, or iwi kūpuna.

As it stands, PTA is heavily contaminated by UXO as well as depleted uranium (DU) from about 75 years of military training there - the DU is specifically linked to munitions used in the 1960s. The live-fire trainings that continue to occur at this site have resulted in 892 fires between 1975 and 2024, at least one of which burned 12,400 acres outside the borders of the location itself. The past decades have seen this sacred site (considered a “wao akua,” or godly realm) bombed by B-52s and subject to military exercises by the U.S. and other countries through “war games” such as the Rim of the Pacific (RIMPAC) that happens every two years.

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<sup>8</sup> DLNR Memo. “Informational Briefing on Army Training Land Retention Efforts for the Pohakuloa Training Area on the Island of Hawai‘i and for Kahuku, Kawaiiloa-Poamoho, and Makua Training Lands on the Island of O‘ahu” October 27, 2023. <https://dlnr.hawaii.gov/wp-content/uploads/2023/10/D-11-1.pdf>

<sup>9</sup> “Draft Environmental Impact Statement for Army Training Land Retention at Kahuku Training Area, Kawaiiloa-Poamoho Training Area, and Makua Military Reservation, Island of O‘ahu, Hawai‘i”

<sup>10</sup> Puanani Fernandez-Akamine. “The Army and Pōhakuloa” September 1, 2024. Ka Wai Ola News. <https://kawaiola.news/aina/the-army-and-pohakuloa/>

<sup>11</sup> The Army says this status was granted after the lease terms were executed, and thus their nonconforming status there is acceptable until the lease expires - would need LUC approval for a district boundary change or new exception through admin changes. BLNR Meeting, Oct. 27, 2023

Cultural practitioners who were allowed to access the land noticed the lack of clean up on UXOs and other harmful debris at this location, despite clear terms in the State lease mandating the Army to “make every reasonable effort to remove or deactivate all live or blank ammunition upon completion of a training exercise or prior to entry by the said public, whichever is sooner.”<sup>12</sup> This led to a lawsuit against the State, claiming that DLNR breached its public trust duty by failing to monitor and ensure care for the lands it leased to the military. In 2019, the Supreme Court of Hawaii affirmed much of the lower courts’ findings, concluding that the State does indeed have an affirmative trust duty to reasonably monitor a property covered by the public trust, including for the purpose of ensuring compliance with protective lease terms.<sup>13</sup> Moreover, the State through DLNR had breached that duty by failing to ensure lease compliance.

There is some concern that despite this clear ruling and ostensible mandate, no management plan has been created/agreed to by DLNR & the Army, nor does there seem to be any assurances from the Army that the required clean up will be completed by the end of the lease term.

## **II. Application of the Public Trust Doctrines and the Right to a Clean & Healthful Environment**

### ***A. Overview***

Hawai‘i’s public trust doctrine can be traced from traditional Hawaiian customary land use obligations, to its Kingdom laws, to its undermining in the Territorial period, and then to its subsequent reemergence in a form that merged indigenous concepts of commonly held resource protections with the Western concepts of certain resources being protected by trust-like obligations on the part of the state (especially in relation to water resources). Its current form is

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<sup>12</sup>“The Army and Pōhakuloa”

<sup>13</sup> Ching v. Case, 145 Hawai‘i 148 (2019)

shaped by the relevant Constitutional provisions listed previously, as well as by statutes enacted by the Hawai‘i State Legislature to actualize the mandates contained therein, and finally through case law that continues to interpret its parameters and specific applicability to particular situations arising from State action as well as inaction.

In a nutshell, the public trust doctrine requires the State (and all State actors, agencies, and other subdivisions) to conserve and protect Hawai‘i’s natural resources, assuring that all uses of land are reasonable and beneficial for current and future generations. Thus, the obligations under this doctrine are often referred to as “trust duties” belonging to the state, in reference to the fact that the Constitutional public trust provisions create an affirmative duty that the State must uphold; the breach of this duty is understood to constitute a cognizable harm that is redressable by the courts and may ostensibly be brought by any member of the public.

While much of the case law to date relating to this doctrine focuses on water as a public trust resource, land is also explicitly also covered by trust duties. This is especially true of ceded land because of the additional Constitutional provision protecting such lands. For example, in Pele Defense Fund v. Paty, 73 Haw. 578 (1992), the Court ruled that ceded lands could not be properly exchanged for other lands by the DLNR, because a state actor is Constitutionally mandated to hold these lands according to their trust duties.

Another important aspect of the public trust doctrine is the development of four main public purposes that have emerged as acceptable uses of protected public resources under State trust duties. For water resources only, these are 1) natural use/state, 2) domestic use, 3) Native Hawaiian and traditional & customary rights, and 4) reservation of water enumerated by

statute.<sup>14</sup> Notably, the Mauna Kea/TMT cases failed to extend this specific aspect of the analysis to conservation and other land.

Despite this wrinkle, it is still true that trust duties belonging to the State and State actors exist “independent of statutory duties and authorities created by the legislature.” This means that the public trust doctrine represents the outer boundaries of permissible State government action, and indeed may require action that extends beyond statutory requirements only.

Additionally, trust duties require that, when assessing an acceptable use of public or ceded lands, the State must consider other alternatives to the proposed use in order to minimize any negative impact on the trust resource. This may include restrictions, restoration requirements, resource use agreements for a shorter rather than longer time period, mandatory investigations/inspections, and other measures to ensure the conservation and protection of such resources. In other words, the public trust doctrine in the State Constitution imposes a requirement upon the State and its subdivisions to explore alternative uses that would reduce or avoid resource degradation.<sup>15</sup>

Finally, as has been alluded to, this is an evolving doctrine that was drafted with the explicit requirement that it protect resources for generations to come, not just in the present times. Climate change will require bold changes to account for the ongoing harm from increasing instances of erratic extreme weather events and storms, catastrophic wildfires, coastal erosion and rising seas, and much more. This will make restoration efforts particularly difficult where harm has already occurred, as well as force any chance of a livable future to rely on our ability to mitigate negative effects and adapt to shifting climate conditions. Thus, any consideration of trust duties must now take this dire reality into account.

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<sup>14</sup> Kauai Springs, Inc. v. Planning Com'n of County of Kauai, 133 Hawai'i 141 (2014)

<sup>15</sup> *Id.*



In regards to the right to a clean and healthful environment, this is a substantive right that similarly may be enforced by any person.<sup>16</sup> Interestingly, in *In re Application of Maui Elec. Co.*, 141 Hawai‘i 249 (2017), the Court found that this right is not only substantive in nature, but actually constitutes a property right. In *Maui Electric*, the right to a clean and healthful environment was applied to air quality in the context of gaseous pollutants. This reading of the provision by the Court may then extend to any aspect of the “environment,” including air, land, and water.

### ***B. Applying a Public Trust analysis to military uses, generally***

While military use may span a wide range of possible activity, the most concerning environmental aspect of their presence on Hawaiian lands is the high levels of contamination that come from such use. “Environmental hazards and health risks [stemming from militarization of land] include the release of particulate matter, volatile organic compounds and metals into the air, the contamination of groundwater resources from munitions, fuel and support facilities, the risk of range fires, and the destruction of habitat and ecosystems.”<sup>17</sup> More recent contaminants that are emerging as dangers to human health include PFAS, lead, PCBs, waste from fires, UXOs (which forever contaminate the land past the point of being suited for human habitation for at least a century), and even “war noise.”<sup>18</sup> A particularly disturbing element of this almost

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<sup>16</sup> It should be noted here that the recently awarded Navahine Settlement affirms this provision in an expansive manner and is being used to mobilize the Hawai‘i Department of Transportation to radically cut emissions in the furtherance of this Constitutional mandate.

<sup>17</sup> Seiji Yamada. “The impact of the military presence in Hawai‘i on the health of Na Kānaka Maoli.” March 2007. [https://www.researchgate.net/profile/Seiji-Yamada/publication/26829511\\_The\\_impact\\_of\\_the\\_military\\_presence\\_in\\_Hawai'i\\_on\\_the\\_health\\_of\\_Na\\_Kanaka\\_Maoli/links/00b7d51e6d985194ef000000/The-impact-of-the-military-presence-in-Hawaii-on-the-health-of-Na-Kanaka-Maoli.pdf](https://www.researchgate.net/profile/Seiji-Yamada/publication/26829511_The_impact_of_the_military_presence_in_Hawai'i_on_the_health_of_Na_Kanaka_Maoli/links/00b7d51e6d985194ef000000/The-impact-of-the-military-presence-in-Hawaii-on-the-health-of-Na-Kanaka-Maoli.pdf)

<sup>18</sup> This is a term this author heard from organizer Andre Perez when he sat on a panel called “‘Āina Back: Military Leases & Demilitarizing Hawai‘i” at the 2024 Council for Native Hawaiian Advancement conference on Moku o Keawe; it refers to inordinate levels of noise that may occur at all hours, including very early in the morning as well as very late at night, including: gunfire from live-fire training; low-flying helicopters practicing maneuvers in ravines and mountain ranges; jets breaking the sound barrier;

guarantee of contamination and thus degradation of land, air, and water resources is that such pollution can and does travel outside of the bounds of land delineated as for military use. This was dramatically exemplified in the most recent devastating fuel leak at Kapūkakī (Red Hill) that poisoned about 93,000 people and continues to put O‘ahu’s biggest aquifer at unacceptable risk.

Military use that leads to such pollution and degradation of our natural resources is therefore completely and inherently inconsistent with Constitutional provisions to protect and preserve the land as well as the provision to guarantee a clean and healthy environment. In order to honor these constitutional provisions, the State must ensure that any military activity that degrades land, air, or water should be precluded. This may include live-fire training, bombing or land and waters, and any other activity that contributes to chemical and other forms of contamination/pollution of land, water, and air.

Notably, the public trust duties established by the Constitution have also been found to be meant to protect traditional and cultural practices of kānaka maoli on their lands. Military occupation of these lands results in not only negative physical health outcomes for all people, but also specifically disconnects Hawai‘i’s native people from their land and the rains, waters, and winds of such areas. This is yet another way in which military use of land anywhere in Hawai‘i violates the Constitutionally mandated trust duties.

Therefore, in order to fully honor its duties and obligations, the State must not enter into any new lease agreements with the U.S. military. But legal obligations are always modified by the reality of power structures and material actors. Taking into account the U.S.’s de facto control of the Hawai‘i pae ‘āina as well as the relative power of the State versus the U.S.

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amphibious landing noises; and the traditional bugle horn refrain that blasts from bases multiple times a day.

military, there are limitations to how far the State will likely be able (and willing) to fulfill its Constitutionally mandated duties. Therefore, another option is explored in the next section.

### *C. Applying a Public Trust analysis to potential new leases*

If the outright preclusion of new leases where they are expiring in 2029 proves improbable, harms should at least be meaningfully addressed in any new lease terms, and these limited leases must at least go part of the way to honoring the Constitutional provisions herein discussed.

Such lease terms should likely include: shorter lease terms (as short as possible); a prohibition against bombing any land or waters; a prohibition against live-fire training; mandating clean up of waste, debris, and other removable detritus from the land before the expiration of the lease; exploration and documentation of long-term contaminants such as PFAS, UXOs, DU, lead, and other pollutants; studying how these and other contaminants affect human and wildlife health and how they otherwise affect the land and natural processes; specific reservations for cultural and spiritual access to allow for traditional Hawaiian practices to be carried out on the land;<sup>19</sup> mandatory reporting requirements as to compliance with lease terms; some guarantee of public access to the land in general to promote transparency and accountability; and reasonable constraints on the time and decibel levels of any noise produced by military activity.

Moreover, the emerging environmental reports being drafted by the various branches offer options for alternatives to wholesale use of all land currently being leased. This means that

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<sup>19</sup> An example of the utility and importance of such a term can be shown by the recent practice of cultural practitioners conducting Makahiki ceremonies at Pōhakuloa. Access for this purpose has to be specifically negotiated with military leaders there every year, which can prove difficult as leaders cycle on and off the island. The offerings left on the land have also faced desecration after practitioners leave. Guaranteeing access for such ceremonies in lease terms would provide a dependable mechanism by which to protect Native Hawaiian rights to such activity.

not all the land they are using is necessary for their needs. This is one aspect of alternatives to proposed use that the State must consider when negotiating new lease terms. Notably, different parcels have different levels of importance to the military, and this should be considered when determining what lands the State could arrange to have returned for the purposes of protection under the public trust. Additionally, any conversation about conservation, security, and control buffers<sup>20</sup> should be looked at critically by the State, as a very viable alternative to such use by the military would simply be the State controlling such buffer land, so as to respect the sovereign Constitutional rights discussed herein.

A similar critical eye must be turned to any proposed solution involving “land exchanges.” This is a pathway being proposed at various levels of State government, and worryingly being seriously considered by the BLNR. Such a proposition would actually exacerbate the problem of the public trust being violated by military use, since this would mean that the military would be granted use of other resources not previously contaminated by their activity, and the State would be left with likely severely degraded land that they might then be responsible for cleaning up themselves. Additionally, such a move may be precluded by the Hawai‘i Supreme Court’s holding in Pele Defense Fund.

For any minimum level of trust duties and clean & healthful environmental rights to be honored, the State should not grant any additional lands to be used by the military, even under restricted lease terms. This is especially important to stress given the lack of clean up at existing and former sites of military occupation.

Of course, we must look to Kaho‘olawe as our first example of this. The relatively small island of Kaho‘olawe was used for Navy bombing practice relentlessly until direct action was

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<sup>20</sup> Kyle Kajihiro. “Military Land Use Plan Reveals Challenges and Opportunities” December 1, 2021. <https://kawaiola.news/aina/military-land-use-plan-reveals-challenges-and-opportunities/>

taken by Native Hawaiians to force the return of that sacred island. The battle over control of Kaho‘olawe eventually resulted in its being returned to the State through a series of federal laws that included the establishment of a trust fund to facilitate the conveyance of the land to the State as well as for remediation and environmental restoration; the statute additionally includes as reporting requirements to Congress to monitor compliance, and enforceability of terms through the federal courts.<sup>21</sup> Similar conditions should likely be attached to any return of lands that may take place in 2029. However, it should be noted that despite such requirements and funding mandates, Kaho‘olawe is still littered with UXOs and other contaminants that to this day make the island uninhabitable by lay persons; clean up and restoration activities are ongoing but necessarily slow moving; and the State agency that is now in charge of much of the clean up is at least partially reliant on State funding instead of just federal funding.

Another example of ongoing contamination to take a lesson from is Pōhakuloa itself. As demonstrated by the litigation surrounding the Ching case, despite the existence of protective lease terms, and despite their being upheld as necessary to comply with affirmatively on the part of the State (through the Supreme Court Case), it has still been difficult to force the DNLR to actualize a management plan to enforce clean up provisions. The site is still used for ongoing live-fire and other bombing trainings, and still full of DU, UXOs, and other refuse and debris. Whether this is because of the intransigence of the military or some lack of action on the part of the State, it still constitutes a violation of the general public trust as well as ceded land trust provisions on the part of the State.

The third example that is instructive here is the Mākua Valley Federal Court Order, or the O4S agreement settlement. Its terms included regular public access to the valley, “allowed the

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<sup>21</sup> TITLE X - FY1994 Department of Defense Appropriations Act. Public Law 103-139, 107 Stat. 1418 <https://kahoolawe.hawaii.gov/rules/leg.htm>

observation of live-fire military exercises by the public, created mandatory provisions of Army clean-up standards of unexploded ordnance found on-site, and ensured that additional environmental, archaeological, and cultural studies”<sup>22</sup> could be requested. While of course this was a federal agreement, its terms could ostensibly be adopted for use and enforcement at the State level as well. Moreover, if such an agreement were to be pursued following a federal suit regarding damages to these lands, such terms should also be kept in mind, since this particular agreement has been eminently effective at precluding certain military activities to date.

In general, the State may wish to pursue new leases that also include provisions for other positive programs and opportunities, such as: funding for conservation, restoration, education, and other life-giving programs and opportunities for Hawai‘i’s people. However, this must be carefully considered so that improper dependency does not arise out of any support given by military funding. All such activities should contribute to increasing self-sufficiency in Hawai‘i, and the healing of natural resources for future use and enjoyment (i.e. for food production, recreation, or other benefits that arise out of the existence of a healthy environment). In any case, such exchanges are considered to be proper by the Court under the holding in the so-called TMT II case. Matter of Conservation District Use Application HA-3568, 143 Hawai‘i 379 (2018). There is some argument against the validity of this in terms of how strongly it actually supports a correct understanding of trust duties - as the concurrence in that case pointed out, “donations or payments to the State and community that are unrelated to the actual use of a resource may be somewhat relevant to whether the proposed use of the conservation land is being put to a

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<sup>22</sup> Ileana Haunani Ruela. “Mākua Valley - A Thesis Submitted to the Graduate Division of the University of Hawai‘i at Mānoa in Partial Fulfillment of the Requirements for the Degree of Master of Arts in Sociology.” May 2013.  
<https://static1.squarespace.com/static/5b084e78ee1759c1c50968e5/t/5ce10a08f06d30001fef039/1558252045610/MakuaValley.IleanaRuelasMastersThesis.050513.pdf>

reasonable and beneficial use, [but] they have no bearing on whether the proposed use is itself public in nature.”

The dissent in that same case also brought up the likely invalidity of what was termed the “degradation principle,” pointing out that the prior existence of degradation on/to a tract of land does nothing to minimize, detract from, or otherwise negate the State’s trust duty to protect and conserve land as a natural resource.

Finally, when negotiating and then potentially drafting new lease terms, the State should consider which of its subdivisions, agencies, and boards should be involved in the process of negotiations and drafting itself, as well as where they most effectively should delegate the affirmative trust duties around enforcing and actualizing lease terms. Activists and organizers have mentioned the Office of Hawaiian Affairs as having an amount of duty in this matter that should be taken into account. Of course the DLNR and the BLNR, who are already the main key players in this issue, must continue to be involved. The University of Hawai‘i, which already has multiple different agreements with various branches of the DoD, could also be involved in scientific studies and measuring the impacts of military use on natural resources. Nonprofits and those connected with various sovereignty movements may also wish to have some measure of involvement in enforcing lease terms or monitoring activities.<sup>23</sup>

#### ***D. Potential unilateral federal action***

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<sup>23</sup> Understandably, some proponents of sovereignty will maintain staunch opposition to any military use of land and thus reject any offer to be involved in such matters. This is an important stance to maintain, as it not only puts pressure on the military as well as the State to be better stewards of land, but is in many ways the legally accurate position, given what has already been discussed in terms of the illegal overthrow, lack of legitimate annexation, and thus status of Hawai‘i as an occupied nation. Opposition to the military using land in any capacity is also in line with the State’s Constitution, as discussed previously as well, so again many may not wish to participate in this process or its outcomes. Regardless, the State still has Constitutional duties under the public trust doctrine, ceded land provision, and clean and healthy environment provision to protect and conserve Hawai‘i’s natural resources no matter what the outcome of this potential new lease negotiation process may be.

In the same year that the leases discussed in this paper were being executed, U.S. President Johnson signed an executive order to seize land pursuant to Admission Act,<sup>24</sup> establishing much of what is now the Pōhakuloa training area. This is just one example of the U.S. government taking unilateral action to seize Hawaiian land for the “public” use of alleged defense activities.

Whether the taking of land occurs through executive action or through Congress, the process of federal unilateral action to obtain the land discussed in this paper after State leases expire would likely occur (if it were to) via condemning the land by relying on eminent domain powers. Such a process would not involve much input, discussion, or leverage from the State; the only possible input that might be sought would be surrounding what the fair market value of a parcel is.

Taking land via such unilateral federal action not only constitutes an immoral extension of colonialism, but is also inconsistent with international customary, conventional, and UN Charter law mandating self-determination for all peoples. The global push for landback and indigenous liberation from militarization and imperialism (which is in line with the goals of the Public Trust doctrine as outlined in Hawai‘i’s Constitution) is growing every day, and similar growth can be seen in the modern Hawaiian sovereignty movement, including in legal arguments against the U.S. occupation of the Hawaiian archipelago.

By their actions it would seem as though the U.S. military knows this, and does not want to fan those flames. Locally, the military is likely trying to maintain what little goodwill they might still have in Hawai‘i after so many blunders at the people's expense. This is evidenced by

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<sup>24</sup> Executive Order 11167—Setting Aside for the Use of the United States Certain Public Lands and Other Public Property Located at the Pohakuloa Training Area, Hawaii (August 15, 1964).  
<https://www.presidency.ucsb.edu/documents/executive-order-11167-setting-aside-for-the-use-the-united-states-certain-public-lands-and>



their willing compliance with state and federal processes of drafting EISs and conducting public input/comment sessions, as well as by statements from the Navy that they are looking to improve its public image after the catastrophic 2021 spill at the Red Hill Bulk Fuel Storage Facility.

### **III. Conclusion**

Three key Constitutional provisions should preclude the State of Hawai‘i from agreeing to new military leases for locations across three islands when existing leases expire in 2029. These three provisions are: 1) mandating a general public trust duty in regards to resources in Hawai‘i, 2) establishing the right to a clean and healthy environment, and 3) requiring a special public trust duty in regards to ceded/Hawaiian trust lands.

However, with the U.S. occupying force threatening the use of eminent domain to condemn the lands and thus take them for their own in that manner, any new leases should include provisions to uphold the State’s duty to maintain natural resources in trust for the people of Hawai‘i now and in the years to come. This would mean provisions to ensure State actors such as DLNR may affirmatively take steps to protect the natural resources on these lands; that access to lands for Native Hawaiian cultural uses are guaranteed; and require cleaning up of existing damages to the land itself as well as the other resources therein, including water and air.

This would further require the State to weigh the military’s proposed uses against the public benefit of the development and utilization of resources in a manner consistent with their conservation. This could happen through requests for further studies via an expanded EIS or other investigations in line with the requisite requirements provided for under DLNR and other relevant agency rules. There are many historical and contemporary examples to look to in the process of State leaders negotiating new lease terms that would at least partially honor the Constitutional provisions herein discussed. Whether this will continue to be understood as

Constitutionally adequate remains to be seen, and may be a matter for future courts to decide. In any case, the State must act as a responsible steward of the land and other resources in its role as trustee for those resources in order to conserve them for the people of Hawai‘i, now and into the future.

**From:** [Sophia Van Wagoner](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Reject the Army's Final EIS  
**Date:** Thursday, May 8, 2025 8:29:17 PM

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Aloha,

I am writing you today to encourage the BLNR to not accept the army's EIS. As I'm sure you are aware, the military has repeatedly failed to both uphold simple environmental protections and to be transparent in regards to harm caused. This is a consistent historical trend from bombing of Kahoʻolawe to the recent Red Hill water contamination.

In this time of increasing authoritarianism among the federal government, I believe it is necessary for Hawaiʻi to stand their ground; not doing so may result in irreparable damage to future generations.

Mahalo nui loa for your time! I anxiously wait to hear your verdict.

-Sophia Van Wagoner

Mr. Jerry Walden  
91-376 Makalea St.  
Ewa Beach, HI 96076  
Jerry.walden1@gmail.com  
808-373-0403  
6 May 2025

Board of Land and Natural Resources  
Attention: Dawn N.S. Chang, Chairperson and members of the board  
1151 Punchbowl Street, Room 130  
Honolulu, HI 96813

Dear Chairperson Chang and Members of the Board,

I am writing to express my strong support and your consideration for the Army's retention of the Pohakuloa Training Area (PTA) on Hawaii Island. As someone who has seen the benefits firsthand and survived the combat landscape during my 31-year military career culminating as the Command Sergeant Major of the famed 100<sup>th</sup> Battalion 442d Infantry Regiment.

For nearly a century, the Pohakuloa Training Area (PTA) has served as a linchpin of U.S. military preparedness, environmental conservation, and community partnership. Spanning over 130,000 acres of austere volcanic terrain, PTA's strategic value extends far beyond its role as a training ground. From its origins before World War II to its modern-day mission, PTA has honed the combat readiness of service members across the Pacific, contributed to Hawaii's economy, championed environmental stewardship, and fostered a collaborative relationship with Native Hawaiian communities. I implore you to consider PTA's multifaceted legacy, emphasizing its enduring impact on military lethality, regional stability, and the symbiotic "ohana" between the military and Hawaii.

**Enhancing Combat Readiness and Lethality in the Pacific:** Post-WWII, PTA adapted to Cold War demands, hosting large-scale armored exercises and artillery drills. By the 21st century, it evolved to address asymmetric threats, counterinsurgency, and multi-domain operations, ensuring relevance in conflicts from Vietnam to Afghanistan. Its ability to replicate diverse Pacific environments—from arid deserts to dense forests—has made it indispensable for U.S. Indo-Pacific Command (INDOPACOM), preparing forces to deter aggression and respond to crises from the Korean Peninsula to the South China Sea.

PTA's unforgiving terrain and climate provide unparalleled training value: Multi-Domain Readiness Soldiers train in combined arms maneuvers, air-ground integration, and joint exercises with Marines, Air Force, and international partners like Japan and Australia. The annual \*Rim of the Pacific (RIMPAC)\* exercises leverage PTA's ranges for live-fire and humanitarian drill components.

**Economic Contributions to Hawaii:** Employment opportunities provide hundreds of civilian jobs, from range technicians to cultural advisors, with an annual payroll exceeding \$20 million; Contracts with local businesses for construction, food services, and equipment, injecting millions into the community, and Infrastructure Investments such as military-funded road upgrades and renewable energy projects which benefit both Pohakuloa Training Area (PTA) and neighboring communities.

**Environmental Stewardship and Cultural Respect:** Pohakuloa Training Area (PTA) operates under dual mandate: military readiness and ecological preservation. Biodiversity Protection collaborates with the University of Hawaii and \*Three Mountain Alliance\* to protect endangered species like the ua'u (Hawaiian petrel) and restore native ecosystems; Cultural Preservation, PTA surveys and safeguards over 1,000 archaeological sites, including Hawaiian heiaus. Also, cultural monitors ensure training avoids sacred areas. Climate Resilience is heavily exercised, and Pohakuloa Training Area (PTA) implements erosion control and reforestation projects to combat climate change impacts, aligning with Hawaii's sustainability goals.

**Community Engagement: Building an 'Ohana:** PTA's relationship with Hawaii transcends coexistence—it thrives on mutual respect and collaboration through educational outreach by hosting STEM programs for local schools, offering hands-on learning in robotics and environmental science; cultural exchange annual \*Ho'okupu\* (tribute) ceremonies that invite Native Hawaiian elders to bless the land, while soldiers participate in traditional oli (chants) and hula; veteran and family support which partners with nonprofits to organize job fairs, health clinics, and disaster relief drills, strengthening community resilience; and public access by opening its gates for hunting, hiking, and stargazing events, demystifying military operations and fostering trust.

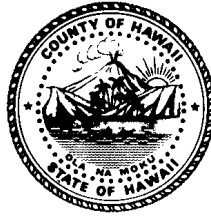
In conclusion, I appreciate your time to be heard, and I wholly support the Army and Military's continued presence and usage of Pohakuloa. For almost 100 years, Pohakuloa Training Area has embodied the synergy between military necessity and aloha 'āina. Its rugged ranges have molded generations of warriors capable of dominating Pacific battlespaces, while its commitment to sustainability and culture ensures Hawaii's heritage endures. As geopolitical tensions rise in the Indo-Pacific, Pohakuloa remains a beacon of readiness, proving that a military grounded in stewardship and community can both defend a nation and honor its home. By training as 'ohana—united in purpose and respect—Pohakuloa secures not only victory abroad but also the enduring spirit of Hawaii. Go For Broke.

Thank you for your consideration.

Sincerely,



Command Sergeant Major (retired)  
Jerry Walden



## HAWAI'I COUNTY COUNCIL

County of Hawai'i  
West Hawai'i Civic Center, Bldg. A  
74-5044 Ane Keohokalole Hwy.  
Kailua-Kona, Hawai'i 96740

May 8, 2025

Dawn N. S. Chang, Chairperson  
Board of Land and Natural Resources  
Via Email: [blnr.testimony@hawaii.gov](mailto:blnr.testimony@hawaii.gov)

RE: Testimony in **Opposition** to the Army's Final Environmental Impact Statement (Agenda item D-1) for its proposal to continue to occupy 22,750 acres of State land at Pōhakuloa Training Area on Hawai'i island ("PTA") for an undetermined amount of time and conditions.

**Hearing: May 9, 2025 at 9:00 a.m.**

Aloha Chair Chang and Members of the Board of Land and Natural Resources,

My name is Holeka Goro Inaba, and I serve as Chair of the Hawai'i County Council, representing District 8, North Kona—an area that includes lands directly impacted by activities at Pōhakuloa Training Area (PTA), where generations of my constituents have expressed deep concerns over contamination, restricted access, and the irreversible cultural and environmental destruction caused by the military's ongoing occupation of public lands.

I am writing to strongly urge you to **REJECT** the Army's Final Environmental Impact Statement (FEIS) for its proposal to continue using 22,750 acres of State land at PTA for an indefinite period and under vague, unaccountable terms (Agenda item D-1).

The FEIS is deeply flawed and wholly inadequate. It fails to confront or address the full scope of harm inflicted by the Army's decades-long activities at PTA. This includes:

- Widespread contamination from lead, heavy metals, hydrocarbons, and explosive residues;
- Unknown risks to groundwater due to unstudied shallow aquifers and incomplete data on downstream impacts;
- Missing or insufficient soil and air quality testing that could assess exposure risks to nearby communities and workers;
- A total lack of cleanup plans, with the Army explicitly stating that restoration is **not** part of this proposal;
- An alarming record of over 1,000 fires caused by military exercises since 1975, further endangering native species and ecosystems;
- No disclosure of greenhouse gas emissions or cumulative climate impacts, despite the U.S. military being one of the largest institutional polluters in the world;

- Continued desecration of cultural sites and iwi kūpuna, with vast areas unsurveyed and deliberately excluded from analysis;
- And multiple unresolved objections from the Department of Health, Environmental Protection Agency, and Native Hawaiian and local community organizations.

Equally troubling, the Army's use of these lands has left vast areas damaged, inaccessible, and too hazardous for civilian use. Across our island, other lands that could otherwise support affordable housing development remain off-limits due to contamination and unexploded ordnance left behind by military training—directly worsening our housing crisis. The military's occupation has not only displaced families and disrupted cultural practices, but has also stripped future generations of access to lands needed for homes, schools, and resilient community growth.

The Board of Land and Natural Resources has a fiduciary obligation to protect these public trust lands—Crown and Ceded Lands—for the benefit of Native Hawaiians and the broader public. The ongoing destruction and contamination at PTA violate that trust.

Do not reward this pattern of neglect and abuse with another lease. **Reject the Army's FEIS** and demand full environmental disclosure, a binding commitment to cleanup, and real accountability before any further discussion of land use is even considered.

The people of Hawai'i deserve better. These lands deserve better. Mahalo for your attention and kuleana to do what is right.

Sincerely,



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HOLEKA GORO INABA, Ed.D.,  
Council Chair, District 8, North Kona

**From:** [Shaun Wolfe](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] EIS for PTA  
**Date:** Thursday, May 8, 2025 5:40:28 PM

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Aloha,

My name is Shaun Wolfe. I am a resident of Waimānalo and I am writing to ask BLNR to reject the Army's final EIS for the Pōhakuloa Training Area. The Army's EIS is wholly inadequate as the conservation district compatibility is still unresolved, the protection of endangered species hasn't been adequately addressed, issues around environmental contamination and cleanup have been unacceptably deferred, the statements on cultural impact and environmental assessments are superficial at best, the EIS fails to address the evaluation of alternatives and fire risk in any meaningful way. The environmental, cultural, and public health concerns are far too great to allow this EIS to be approved.

Mahalo,

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Shaun Wolfe (he/him)  
[shaunwolfephoto.com](mailto:shaunwolfephoto.com)  
818.439.8472



**From:** [Antonia Wollert](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Calling on BLNR to Reject the Army's FEIS: Unanswered Questions and Ongoing Harms at Pōhakuloa  
**Date:** Thursday, May 8, 2025 8:24:19 PM

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Aloha Members of the Board of Land and Natural Resources,

Please REJECT the Army's final Environmental Impact Statement (Agenda item D-1) for their proposal to continue to occupy 22,750 acres of State land at Pōhakuloa Training Area on Hawai'i island ("PTA") for an undetermined amount of time and conditions.

The Board should require the Army to provide the following information to assist with the Board's future decision making on any "real estate" proposal for PTA:

(1) Contamination from past, present, and future military actions.

- a. The FEIS discloses significant lead and heavy metal contamination in PTA lands caused by live fire training. The Army's surface soil sampling detected the following in site soils: antimony, arsenic, cobalt, copper, iron, 1-methylnaphthalene, lead, manganese, naphthalene, selenium, silver, total petroleum hydrocarbons (TPH) as diesel range organics (DRO) and residual range organics, and zirconium. **V1 at 3-106**
- b. The Army said there's no significant impact because low rainfall means the contamination won't spread much and the aquifer is deep. But the Army also concedes "shallower aquifers" were supposed to be tested, but weren't. It's unacceptable to claim there is no significant impact when areas that are more likely to be affected haven't been studied. **V1 at 3-193**
- c. The EPA pointed out PTA soils are highly permeable and some compounds are highly soluble and won't be absorbed into the soil. The EPA asked for soil sampling analysis to show how the Army knows contamination hasn't spread. The Army responded it has not sampled all of its lands "to determine the presence or absence of munitions constituents." **V2 at D-210**
- d. The FEIS does not address logical questions. How can existing and

future contamination be removed? Will it be removed? How much has it already spread into the soils, vegetation, and animal life? How much worse will it get with continued Army operations?

(2) Potential and means to restore these lands.

a. *Can* the Army clean up these lands? How? To what degree will the lands be remediated? What happens if they can't do it? In response to these questions, the Army refers to FEIS section 3.5.6, which says "cleanup and restoration . . . are not part of the Proposed Action" and "future cleanup and restoration requirements, standard processes, and associated cost are unknown." **V1 at 3-122**

b. The existing leases only require: "Weapons and shells used in connection with training activities are to be removed to the extent that technical and economic capability exists and provided that expenditure for removal would not exceed the fair market value of the land." **DEIS V.1 at 3-14** (emphasis added). Left unchallenged, the Army could simply say that it's too expensive to clean up and leave their mess behind – in fact, the inclusion of such language incentivizes them to do so.

c. The Army said it will comply with the "Comprehensive Environmental Response, Compensation, and Liability Act" (CERCLA), which requires remedial action concerning stored hazardous substances, "necessary to protect human health and the environment with respect to any such substance remaining on the property has been taken before" transferring the land back. However, the Army will not be clear on what this will mean, changing its stance on whether it stores hazardous substances on state lands (see #3c) and refusing to disclose any remediation actions.

(3) Army is withholding information on accumulating contamination.

a. In addition to the harm that has already occurred, how much worse will land contamination get with continued Army operations? What practices does the Army follow to prevent munitions contaminants from accumulating? The Army says it follows Standard Operating Procedures that are not available for public disclosure. **V2 at D-211**  
The EIS only gives a vague summary. **V2 at E-15 & E-16**

b. The EIS does not tell us how much contamination has accumulated, despite these procedures, and its impacts.

c. KAHEA asked about PTA's hazardous waste spill risks. The Army responded by: (1) telling KAHEA to file a Freedom of Information Act request for the information, (2) deleting the section describing hazardous waste storage on PTA State lands. Has hazardous waste spilled on state lands? Where are these records?

(4) Why can't the Army start cleaning up now?

a. The state Department of Health ("DOH") commented "There is no need for the Army to wait for the end of the lease period to address known and potential contamination under [federal laws]. Sites identified in the first and second Draft EIS documents . . . that are on state land and no longer within currently active range locations should begin the cleanup process as soon as possible." **V2 at D-223**

b. The Army flagged this comment as "not resolved".

(5) Have contaminants entered groundwater? How does the Army know either way?

a. The Army says there's no evidence that it has, but also "[g]roundwater quality data are limited"; researchers recommended sampling groundwater in shallower aquifers; and no one has done this sampling or analysis. **V1 at 3-193**

b. Without completing the research, how can the Army discount the spread of contaminants, especially highly soluble perchlorate, into these water bodies?

(6) Could contaminants have impacts on human health?

a. DHHL "feel[s] strongly" that the Army should do long-term air-quality and water-table testing at PTA. **V2 at D-220** The Army declined, pointing to a one-year air quality monitoring program in 2007 that did not find levels outside standards and that the aquifer is very deep. However, the Army admits there is a shallow aquifer that has not been tested despite recommendations to do so.

b. The FEIS is inconsistent on this issue. It discloses there are “potentially complete exposure pathways for human receptors from contaminants within the State-owned land surface soils” but because the same is not true for water and sediment, contaminants are “unlikely to impact public health.” **V1 at 3-107**

c. The FEIS acknowledges “airborne concentrations of lead on [Department of Defense] firing ranges have exceeded the Occupational Safety and Health Administration permissible exposure limit for some job duties, which might lead to increased blood lead levels”. **V1 at 3-117** Yet there is no mitigation or study proposed to prevent this from happening at PTA.

(7) Cumulative impacts of the entirety of PTA

a. The FEIS only considers impacts of continuing military training on 22,750 acres of State lands, even though these training operations are inextricable from the entire 132,000 acres of PTA. What are the true cumulative impacts of these operations? How does PTA as a whole impact Hawai‘i’s economy? Housing availability? Native species supposedly “habituated” to the sound of military training and potentially exposed to munitions contaminants?

b. What alternatives are foreclosed by using these lands and resources for military training? Land Board staff also point out this is missing from the FEIS **Submittal at 23**

(8) Fire impacts are worse than disclosed.

a. Between 1975 and August 2024, there were 1,261 fires of which 1007 fires were due to military activities. **V1 at 3-283**. Pōhakuloa is a TERRIBLE, fire prone place to do military training. Yet, the Army rejects proposals to relocate training - only mitigation for monitoring fires and inhibiting invasive grass growth.

b. The Department of Interior pointed out the “entire population of Palila are restricted to the west slope of Mauna Kea and are extremely vulnerable to an extinction event such as a wildland fire, as happened in 2021.” **V2 at D-214**

(9) No disclosure of greenhouse gases

- a. The EIS discloses the Army does not have data on its greenhouse gas emissions (“GHGs”) for activities on State lands. Why not? The U.S. military reportedly produces more GHGs than the entire nations of Portugal or Denmark,[1] but does not track its own emissions?
- b. At the same time, the FEIS concludes the Army’s “generation of GHGs has not meaningfully contributed to the impacts of global or local climate change.” **V1 at 4-16** How can it reach this conclusion if it does not have data?

(10) Existing mitigation proven insufficient by ongoing impacts.

- a. The FEIS concedes ongoing impacts from past PTA operations - which the Army proposes to continue indefinitely. **V1 at 4-11 - 4-25**
- b. And yet, proposed new mitigation solely consists in studies, reporting, monitoring, and potentially deploying a biological control directed at reducing wildfires and to formalize an access agreement with Native Hawaiian groups and individuals. **V1 at 3-220** As noted by DLNR staff, the Army should have done these studies as part of this EIS - not afterwards.
- c. For all other impacts, the Army will just continue existing mitigation measures. But these are not working because impacts continue to accrue, particularly to cultural resources as pointed out by Land Board staff who disagree that Army cultural resource programs are protecting these resources. **Submittal at 23**
- d. The FEIS excluded many lands from its survey of historic properties, including iwi kupuna, on state lands. **V1 at Fig. 3-8** How can the Army assess impacts to cultural resources if it does not even know if they are there?

Far from providing a comprehensive reference, the Army’s FEIS obstinately refuses to disclose the foreseeable harms their actions cause to Hawai‘i’s land, water, cultural resources, and its people. If the Army does not know, the Board should reject the FEIS and require the Army to conduct necessary investigations as part of this environmental review process and not relegate these important issues to some

unaccounted-for future scenario.

Mahalo for considering my testimony,

Antonia Wollert

**From:** [Leah Wright](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Calling on BLNR to reject the Army's EIS for Pohakuloa  
**Date:** Thursday, May 8, 2025 4:30:50 PM

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Aloha Members of the Board of Land and Natural Resources,

Please REJECT the Army's final Environmental Impact Statement (Agenda item D-1) for their proposal to continue to occupy 22,750 acres of State land at Pōhakuloa Training Area on Hawai'i island ("PTA") for an undetermined amount of time and conditions.

The Board should require the Army to provide the following information to assist with the Board's future decision making on any "real estate" proposal for PTA:

(1) Contamination from past, present, and future military actions.

- a. The FEIS discloses significant lead and heavy metal contamination in PTA lands caused by live fire training. The Army's surface soil sampling detected the following in site soils: antimony, arsenic, cobalt, copper, iron, 1-methylnaphthalene, lead, manganese, naphthalene, selenium, silver, total petroleum hydrocarbons (TPH) as diesel range organics (DRO) and residual range organics, and zirconium. **V1 at 3-106**
- b. The Army said there's no significant impact because low rainfall means the contamination won't spread much and the aquifer is deep. But the Army also concedes "shallower aquifers" were supposed to be tested, but weren't. It's unacceptable to claim there is no significant impact when areas that are more likely to be affected haven't been studied. **V1 at 3-193**
- c. The EPA pointed out PTA soils are highly permeable and some compounds are highly soluble and won't be absorbed into the soil. The EPA asked for soil sampling analysis to show how the Army knows contamination hasn't spread. The Army responded it has not sampled all of its lands "to determine the presence or absence of munitions constituents." **V2 at D-210**
- d. The FEIS does not address logical questions. How can existing and future contamination be removed? Will it be removed? How much has it already spread into the soils, vegetation, and animal life? How much worse will it get with continued Army operations?

(2) Potential and means to restore these lands.

- a. *Can* the Army clean up these lands? How? To what degree will the lands be remediated? What happens if they can't do it? In response to these questions, the Army refers to FEIS section 3.5.6, which says "cleanup and restoration . . . are not part of the Proposed Action" and "future cleanup and restoration requirements, standard processes, and associated cost are unknown." **V1 at 3-122**
- b. The existing leases only require: "Weapons and shells used in connection with training activities are to be removed to the extent that technical and economic capability exists and provided that expenditure for removal would not exceed the fair market value of the land." **DEIS V.1 at 3-14** (emphasis added). Left unchallenged, the Army could simply say that it's too expensive to clean up and leave their mess behind – in fact, the inclusion of such language incentivizes them to do so.
- c. The Army said it will comply with the "Comprehensive Environmental Response, Compensation, and Liability Act" (CERCLA), which requires remedial action concerning stored hazardous substances, "necessary to protect human health and the environment with respect to any such substance remaining on the property has been taken before" transferring the land back. However, the Army will not be clear

on what this will mean, changing its stance on whether it stores hazardous substances on state lands (see #3c) and refusing to disclose any remediation actions.

(3) Army is withholding information on accumulating contamination.

- a. In addition to the harm that has already occurred, how much worse will land contamination get with continued Army operations? What practices does the Army follow to prevent munitions contaminants from accumulating? The Army says it follows Standard Operating Procedures that are not available for public disclosure. **V2 at D-211** The EIS only gives a vague summary. **V2 at E-15 & E-16**
- b. The EIS does not tell us how much contamination has accumulated, despite these procedures, and its impacts.
- c. KAHEA asked about PTA's hazardous waste spill risks. The Army responded by: (1) telling KAHEA to file a Freedom of Information Act request for the information, (2) deleting the section describing hazardous waste storage on PTA State lands. Has hazardous waste spilled on state lands? Where are these records?

(4) Why can't the Army start cleaning up now?

- a. The state Department of Health ("DOH") commented "There is no need for the Army to wait for the end of the lease period to address known and potential contamination under [federal laws]. Sites identified in the first and second Draft EIS documents . . . that are on state land and no longer within currently active range locations should begin the cleanup process as soon as possible." **V2 at D-223**
- b. The Army flagged this comment as "not resolved".

(5) Have contaminants entered groundwater? How does the Army know either way?

- a. The Army says there's no evidence that it has, but also "[g]roundwater quality data are limited"; researchers recommended sampling groundwater in shallower aquifers; and no one has done this sampling or analysis. **V1 at 3-193**
- b. Without completing the research, how can the Army discount the spread of contaminants, especially highly soluble perchlorate, into these water bodies?

(6) Could contaminants have impacts on human health?

- a. DHHL "feel[s] strongly" that the Army should do long-term air-quality and water-table testing at PTA. **V2 at D-220** The Army declined, pointing to a one-year air quality monitoring program in 2007 that did not find levels outside standards and that the aquifer is very deep. However, the Army admits there is a shallow aquifer that has not been tested despite recommendations to do so.
- b. The FEIS is inconsistent on this issue. It discloses there are "potentially complete exposure pathways for human receptors from contaminants within the State-owned land surface soils" but because the same is not true for water and sediment, contaminants are "unlikely to impact public health." **V1 at 3-107**
- c. The FEIS acknowledges "airborne concentrations of lead on [Department of Defense] firing ranges have exceeded the Occupational Safety and Health Administration permissible exposure limit for some job duties, which might lead to increased blood lead levels". **V1 at 3-117** Yet there is no mitigation or study proposed to prevent this from happening at PTA.

(7) Cumulative impacts of the entirety of PTA



a. The FEIS only considers impacts of continuing military training on 22,750 acres of State lands, even though these training operations are inextricable from the entire 132,000 acres of PTA. What are the true cumulative impacts of these operations? How does PTA as a whole impact Hawai'i's economy? Housing availability? Native species supposedly "habituated" to the sound of military training and potentially exposed to munitions contaminants?

b. What alternatives are foreclosed by using these lands and resources for military training? Land Board staff also point out this is missing from the FEIS **Submittal at 23**

(8) Fire impacts are worse than disclosed.

a. Between 1975 and August 2024, there were 1,261 fires of which 1007 fires were due to military activities. **V1 at 3-283.** Pōhakuloa is a TERRIBLE, fire prone place to do military training. Yet, the Army rejects proposals to relocate training - only mitigation for monitoring fires and inhibiting invasive grass growth.

b. The Department of Interior pointed out the "entire population of Palila are restricted to the west slope of Mauna Kea and are extremely vulnerable to an extinction event such as a wildland fire, as happened in 2021." **V2 at D-214**

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d. The FEIS excluded many lands from its survey of historic properties, including iwi kupuna, on state lands. **V1 at Fig. 3-8** How can the Army assess impacts to cultural resources if it does not even know if they are there?

Far from providing a comprehensive reference, the Army's FEIS obstinately refuses to disclose the foreseeable harms their actions cause to Hawai'i's land, water, cultural resources, and its people. If the Army does not know, the Board should reject the FEIS and require the Army to conduct necessary investigations as part of this environmental review process and not relegate these important issues to some unaccounted-for future scenario.

Mahalo for considering my testimony.  
Leah Wright



Leah Wright  
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**From:** [Summer-Lee Kau'ionalani Yadao](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] NO - Reject Army's FEIS  
**Date:** Thursday, May 8, 2025 5:27:47 PM

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Aloha BLNR Board,

When people, entities have shown you who they are and what they will continue to do, believe them.

All of the occupying military forces on the islands of Hawai'i have ZERO regard to the health, well-being and sustainability of the people of Hawai'i.

NO entity, including and especially the u.s. military should be allowed to poison, destroy and kill people for their benefit.

Enough is enough.

We know better now, we MUST do better.

We know that the military has only harmed Hawai'i, no benefits have come from them. We know that even when confronted with massive harm to people, they are not held accountable and continue to murder and destroy.

There is no study or research that anyone will ever bring, that shows it is wise to continue to allow the military to use the lands we depend on for our lives, as their training ground, or any other use they present.

The only way we can thrive and live healthy lives today and future generations, is to REJECT their proposals across the board that they present now and forever.

A pivot from funding and glorifying war and destruction to honoring and making decisions for PEOPLE and quality of life for all living beings is needed now.

Mahalo,

Summer-Lee K.Yadao

Aloha e Chair Chang and Members of the Board of Land and Natural Resources,

My name is Yvonne Yoro and I am from Wahiawā, O'ahu. I respectfully urge you to do the right thing, and reject the clearly insufficient FEIS in Item D-1. Being from Wahiawā, I grew up surrounded by military forces and grew accustomed to seeing them around. My classmates were children of service members, my neighbors were service members, I'd hear training exercises in the early mornings and late nights. It had all become normalized in our small, sleepy town.

Learning about and witnessing the negative impacts of the military on our islands now lead me to believe that it is wrong for them to be here—continuing to occupy spaces meant to cultivate life, exercise traditions, and perpetuate Native Hawaiian practices and knowledge. Military forces that have occupied lands on these islands have failed their objectives to safeguard the people they tout to protect. Further, they have desecrated each of the lands they've touched and profusely exclaim their inability to clean up areas they've bombed.

The public trust doctrine, embodied in the State constitution, requires the BLNR to exercise due diligence and prudence in managing our natural and cultural resources, and in protecting the interests of the present and future beneficiaries of the trust. Without cultural surveys, biological opinions, or a good faith assessment of alternative beneficial uses of the long-abused 'āina at Pōhakuloa - all things missing from the FEIS - the BLNR simply does not have the information it needs to even begin upholding these public trust duties. I urge the BLNR to reject this deficient FEIS, as an affront to its responsibilities under our constitution and the public trust.

Accordingly, please REJECT the FEIS put forward in Agenda Item D-1.

Mahalo nui for the opportunity to testify.

Sincerely,

Yvonne Yoro

Wahiawā, O'ahu