

DAVID Y. IGE
GOVERNOR OF HAWAII



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

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

**Testimony of
SUZANNE D. CASE
Chairperson**

**Before the Senate Committees on
WATER AND LAND
And
PUBLIC SAFETY, INTERGOVERNMENTAL, AND MILITARY AFFAIRS**

**Wednesday, February 5, 2020
1:30 PM
State Capitol, Conference Room 229**

**In consideration of
SENATE BILL 2779
RELATING TO THE ESTABLISHMENT OF AN ECOSYSTEM RESTORATION
COMMISSION**

Senate Bill 2779 proposes to establish an Ecosystem Restoration Commission (Commission) that would be tasked with overseeing the return of lands under federal ownership or control to the State. **The Department of Land and Natural Resources (Department) offers the following comments on this measure.**

The proposed 12-member Commission would be administratively attached to the Department and would be charged with: (1) creating and maintaining an inventory of all lands in the State where the federal government claims ownership or control, including a database of relevant leases and their expiration dates; (2) identifying and evaluating any environmental damage to and required remediation for the inventoried land; (3) identifying those lands appropriate for continued use by the federal government; (4) negotiating with the appropriate federal agencies for the return of ownership and control and environmental remediation of parcels still under the control of the federal government; (5) ensuring that administrative control over all property returned to the State is given to an appropriate State, county or other entity; and (6) making recommendations for future use and environmental remediation of each property.

The Department notes that several functions of the proposed Commission are already performed by the Department or its governing board, the Board of Land and Natural Resources (Board). For example, if the federal government desires to continue use of State lands currently under lease, it would need to apply to the Board for a lease extension or new lease. The Board would consider the request at a sunshine meeting open to the public and issue a decision on the request. If the federal government determines that any of its fee simple lands are surplus to its needs, it typically offers to convey them to the State. As part of that process, the Department conducts

SUZANNE D. CASE
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

ROBERT K. MASUDA
FIRST DEPUTY

M. KALEO MANUEL
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

environmental due diligence to ensure that it is not acquiring contaminated land. A Phase I Environmental Site Assessment (ESA) would need to be conducted by an independent consultant who would then prepare a report. If environmental concerns were found, a more intrusive investigation of the land be conducted through a Phase II ESA. If contamination were confirmed on the property, remediation would then be required. The Department would endeavor to have the federal government pay for the necessary due diligence and remediation, if needed. The Board also routinely makes decisions on which State or county agencies should have use of State lands by lease, Governor's executive order or other disposition.

Accordingly, the Department believes the functions of the proposed Commission would be largely redundant of the operations of the Department and Board. To the extent the Commission's functions are not redundant, they would be cost prohibitive to execute. Phase I and II ESAs are expensive. The bill does not explain who will pay for the environmental review needed to determine the status of every parcel of land the federal government owns or controls. The bill provides no budget for the Commission. Without a budget, the bill would impose an unfunded mandate on the Commission.

Finally, the Department believes the federal government recognizes its responsibility to the environment. On the specific issue of unexploded ordnance (UXO), the Department can report that the federal government has been working for many years to clean up UXO on its own lands as well as State (and private) lands that are no longer under federal ownership or control (formerly used defense sites).

Thank you for the opportunity to comment on this measure.



STATE OF HAWAII
DEPARTMENT OF HEALTH
P. O. Box 3378
Honolulu, HI 96801-3378
doh.testimony@doh.hawaii.gov



**Testimony COMMENTING on SB2779
RELATING TO THE ESTABLISHMENT OF AN ECOSYSTEM
RESTORATION COMMISSION**

SENATOR KAIALII KAHELE, CHAIR
SENATOR GILBERT S.C. KEITH-AGARAN, VICE CHAIR
COMMITTEE ON WATER AND LAND

SENATOR CLARENCE K. NISHIHARA, CHAIR
SENATOR GLENN WAKAI, VICE CHAIR
COMMITTEE ON PUBLIC SAFETY, INTERGOVERNMENTAL, AND MILITARY
AFFAIRS

Hearing Date: 2/5/2020

Room Number: 229

- 1 **Fiscal Implications:** This unfunded measure may impact the priorities identified in the
- 2 Governor's Executive Budget Request for the Department of Health's (Department)
- 3 appropriations and personnel priorities.

- 4 **Department Testimony:** This measure proposes establishment of an an ecosystem restoration
- 5 commission to be tasked with identifying lands contaminated by military activities and
- 6 overseeing the return of those lands to the State in a clean and healthy state. The Department
- 7 agrees that federal remediation of such lands is a critical interest for the benefit of Hawaii's
- 8 peoples, and offers the following comments describing our ongoing regulatory oversight of
- 9 hazard and contamination concerns that are the subject of this measure.

- 10 Through the Defense State Memorandum of Agreement (DSMOA), the Department provides
- 11 active regulatory oversight on hundreds of current and former military sites with known or
- 12 suspected contamination across the state to ensure proper investigation and cleanup, and is
- 13 reimbursed for oversight costs. Sites include federally owned properties, leases on state and
- 14 private lands, and cleanup liability for Formerly Used Defense Sites (FUDS), such at the
- 15 Waikoloa Maneuver Area on Hawaii Island, where unexploded ordnance hazards remain from

1 historic military activities. The DSMOA agreement specifically addresses the process for formal
2 transfer of land ownership through the Base Realignment and Closure (BRAC) program to
3 dispose of surplus federal property. Together, the Department oversight responsibilities closely
4 align with the goals of the proposed commission and are expected to continue until each site has
5 been assessed for hazards, remediated as appropriate, and closed following appropriate state or
6 federal statutes.

7 The Department is not aware of other state-federal agreements committing return of specific
8 parcels to the state and is uncertain what authorities the commission would use to negotiate
9 transfer of federally owned properties to State control. Similarly, though a number of federal
10 land lease expirations are coming up in the next decade, the Department has not been informed
11 of any such leases that the federal government plans to relinquish.

12 **Offered Amendments:** None

13 Thank you for the opportunity to testify on this measure.

SB-2779

Submitted on: 2/1/2020 10:24:07 AM

Testimony for WTL on 2/5/2020 1:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Regina Gregory	Testifying for EcoTipping Points Project	Support	No

Comments:

SB-2779

Submitted on: 2/3/2020 5:45:12 PM

Testimony for WTL on 2/5/2020 1:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Sandy Yee	Testifying for Hawai'i Peace & Justice	Support	No

Comments:

I whole heartedly support this bill because it establishes an ecosystem restoration commission to identify lands for environmental remediation and return ownership and control of those lands to the State, a county, or other entity.

The military absolutely needs to be responsible for cleaning up pollution it has brought to our aina.



Progressive Democrats of Hawai'i

<http://pd-hawaii.com>

PO Box 51 Honolulu HI 96810

email: info@pd-hawaii.com

February 3, 2020

To: Senator Kaiali'i Kahele, Chair,
Senator Gilbert Keith-Agaran, Vice Chair, and Members of the
SENATE COMMITTEE ON WATER & LAND

Senator Clarence K. Nishihara, Chair,
Senator Glenn Wakai, Vice Chair, and Members of the
SENATE COMMITTEE ON PUBLIC SAFETY, INTERGOVERNMENTAL, AND
MILITARY AFFAIRS

Re: **SB 2779, Relating to an Ecosystem Restoration Commission**
Hearing: Wednesday, February 5, 2020, 1:30 p.m., Room 229
Position: **Strong Support**

Aloha, Chairs Kahele and Nishihara, Vice Chairs Keith-Agaran and Wakai, and Members of the Committees:

Progressive Democrats of Hawai'i strongly support SB 2779, which will create an Ecosystem Restoration Commission to negotiate with the United States Government to seek the expeditious return of as many lands and land rights as possible and to work toward the restoration of the environmental integrity of those lands.

It is long past time for us to regard U.S. Government land rights in Hawaii as unalterably fixed. The Government acquired most of those rights during territorial times when Hawaii had far less population and local government had far less power to push back against the federal government. We seriously need to recover land for our own use now, and the federal government needs to cede back a very substantial amount of land and restore it, if it has been damaged environmentally. This bill is the first step in that process.

Thank you for the opportunity to testify.

Alan B. Burdick, Co-Chair
Progressive Democrats of Hawai'i
Burdick808@gmail.com/ 486-1018

SB-2779

Submitted on: 2/3/2020 11:28:37 PM

Testimony for WTL on 2/5/2020 1:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Robert B Huber	Testifying for Environmental Impact Committee -Democratic Caucus	Support	No

Comments:

I am in support of the clean of waste left behind by the military . Red Hill, to clean up the oily waste (bunker fuel from the cleaning of the Red Hill tanks) that remains discarded at the Honolulu Animal Quarantine site. On a hot day, the bunker fuel liquifies and looks like hot tar. As the result of military waste being left abandoned, the Green New Deal committee worked to draft SB2779 to establish an Ecosystem Restoration Commission.

The Green New Deal committee worked to draft SB2779 to establish an Ecosystem Restoration Commission to examine all military sites to identify lands for environmental remediation and return of ownership and control of those lands to the State, a county, or other entity. We are including Pohakuloa Training Area; Makua Valley Training Area; Waikane Valley Marine Training Area; He`eia Combat Training Area; and Kaho`olawe Island Reserve, in addition to the Red Hill oily waste clean-up.

As Kupuna in City & County of Honolulu to protect the Aina for future generations should be of the utmost importance .

Aloha e Mahalo Kakou , Robert Hüber RA SFR

hawaii Homes International

SB-2779

Submitted on: 2/3/2020 11:51:40 PM

Testimony for WTL on 2/5/2020 1:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
michael	Testifying for Human Enviromental Committee	Support	Yes

Comments:

Aloha

As a concerned citizen , Malenial and on behalf of all citizens , this bill stemmed out of Red Hill, to clean up the oily waste (bunker fuel from the cleaning of the Red Hill tanks) that remains discarded at the Honolulu Animal Quarantine site. On a hot day, the bunker fuel liquifies and looks like hot tar. As the result of military waste being left abandoned, the Green New Deal committee worked to draft SB2779 to establish an Ecosystem Restoration Commission to examine all military sites to identify lands for environmental remediation and return of ownership and control of those lands to the State, a county, or other entity. We are including Pohakuloa Training Area; Makua Valley Training Area; Waikane Valley Marine Training Area; He`eia Combat Training Area; and Kaho`olawe Island Reserve, in addition to the Red Hill oily waste clean-up.

For my generation , and the generations ahead , I strongly advicate that we protect our Aina .

Aloha e Mahalo Kakou

Micharl Vernon



HAWAII

AMERICANS FOR DEMOCRATIC ACTION

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February 4 , 2020

TO: Honorable Chairs Kahele & Nishihara & WTL/PSM Committee Members

RE: SB 2779 RELATING TO THE ESTABLISHMENT OF AN ECOSYSTEM RESTORATION COMMISSION

Support for hearing on Feb 7

Americans for Democratic Action is an organization founded in the 1950s by leading supporters of the New Deal and led by Patsy Mink in the 1970s. We are devoted to the promotion of progressive public policies.

We support SB 2779 as it would create an Ecosystem Restoration Commission to negotiate with the federal government to seek the expeditious return of as many lands and land rights as possible and to work toward the restoration of the environmental integrity of those lands. Land issues have long plagued this state. Too much land has been taken through illegitimate means. Thus the federal government has ceded and other lands with questionable title. It is time to recover land for our own use, and the federal government should cede back a lot of land for responsible use.

Thank you for your favorable consideration.

Sincerely, [Signature]

John Bickel President



SB-2779

Submitted on: 2/4/2020 10:11:32 AM

Testimony for WTL on 2/5/2020 1:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Melissa L Yee	Testifying for Seeds of Truth	Support	No

Comments:

My name is Dr. Melissa Yee from the organization Seeds of Truth which produces community television videos on current events. The concern about Red Hill has been ongoing since 2014 when the leak occurred. Local residents have taken time to go to meetings because they are worried they are already drinking chemicals from past and present use on plantations and industrial and private properties. This bill supports the creation of a commission which will look at solutions to this problem. The Navy is unlikely to pursue this issue aggressively because it does not have the funding to do it. We the residents need and want to do something, and this commission is a start.

Living on a small island we are all at risk. The Red Hill tanks are antiquated and leaking. I would suggest that existing tanks in other locations be used instead of continuing to patch and monitor. The Board of Water Supply has brought attention to this matter and needs support from the Legislature to move forward.

Thank you,

Dr. Yee

Seeds of Truth

SB-2779

Submitted on: 2/4/2020 11:14:11 AM

Testimony for WTL on 2/5/2020 1:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Adrian Q.S. Chang	Testifying for Pure Water Hawaii	Support	No

Comments:

I strongly support this Bill. Urgency is required due to the continuous leakage from the Red Hill fuel tanks. I have reviewed Board of Water Supplies slide presentation which included the alternatives proposed by the military to correct the problem. None of them are really practical and economical solutions. I suggest building new tanks on the user base (e.g. Hickam & Pearl Harbor). The advantage of the Red Hill tanks was gravity feed. However, new tanks could have a pumping system with back up generators to offset this advantage. Building above ground tanks would reduce cost significantly. Using tanker trailers to transport fuel to points of need would eliminate costly piping systems. We already do it for all our service stations.

Mahalo for protecting our environment & drinking water,

Adrian Chang, Pure Water Hawaii



Wednesday, February 5, 2020

Senate Bill 2779
Testifying in Support

Aloha Chairs Kahele and Nishihara; Vice Chairs Keith-Agaran and Wakai, and Members of the Senate Committees on Water and Land; and Public Safety, Intergovernmental, and Military Affairs:

The Democratic Party of Hawaii (The Party) stands in support of SB2779 Relating to the Establishment of an Ecosystem Restoration Commission. The bill establishes an ecosystem restoration commission to identify lands for environmental remediation and return ownership and control of those lands to the State, a county, or other entity. This bill was made part of the Hawaii Green New Deal Package of the Democratic Party of Hawaii.

This bill was born out of the oily waste from the Red Hill Underground Fuel Storage Tanks and the aftermath of the Pohakuloa Training Area once training is complete. An Ecosystem Restoration Commission is necessary to: (1) create and maintain an inventory of all lands where the federal government claims ownership or control; (2) identify and evaluate any environmental damage and whether remediation efforts are required; (3) identify lands that remain appropriate for continued set-aside to the United States government; (4) negotiate for the return of ownership and control of the land and the environmental remediation required; (5) ensure that the administrative control of the property is transferred from the federal government to the appropriate state, county, or other entity; and (6) make recommendations for future use and environmental remediation of each property.

The necessity of an Ecosystem Restoration Commission is evident in Red Hill and in many of the lands leased or under the control of the Department of Defense for military training purposes.

Take Red Hill for example, in 1938, the Navy began building a fuel depot at Red Hill, which lies between Moanalua and Halawa Valleys. Twenty massive underground tanks – each having a capacity of 12.6 million gallons – were built into the hill and were used primarily to store 3 types of petroleum fuel: marine diesel for ships and 2 types of jet fuel, JP-5 and JP-8.

Starting in 1943, sludges and waste oil from the cleaning of these tanks were piped to an unlined waste pit 800 feet north of Moanalua Highway. A Navy history site describes the practices there as follows:

“Oily waste residues were pumped from the Red Hill underground fuel tanks to the site via an . . . “underground slop line” . . . From this underground slop line, the waste could either be routed into the old pit or into a bypass-type piping arrangement which led towards South Halawa Stream . . . When wastes were routed to the old pit, recoverable oil was skimmed off the fluid surface and collected in the two aboveground 8,000-gallon storage tanks located to the northeast of the old pit. Fluid could be drained from the old pit via the “look box” into the bypass piping which led to South Halawa Stream.” Between 1943 and 1945, approximately 1.3 million gallons of fuel spilled at the Red Hill fuel depot, the result of improper valve operation. The oil flowed downhill through the access tunnel, exiting near the waste pit, where it ran across the ground and into the south Halawa Stream.

According to a Navy report, “During the period of time between 1948 and 1972, it is believed that a portion of the waste sludges were trucked to a storage facility in Pearl Harbor, with the remainder being directly diverted to South Halawa Stream.

In 1972, the Navy dug a new waste pit on the same site, lining it with asphalt. Quoting again from the Navy history of the site: “The piping system for the former disposal pit apparently was not removed during construction of the new pit and it is believed that the practice of diverting water from the pit and/or directly into South Halawa [Stream] continued until the pit was taken out of service in 1987.”

Soon after the new pit was put into use, its asphalt lining began to crack. The pit was drained, and its contents were placed into 55-gallon drums. “These drums were taken a short distance from the pit,” the ERCE report notes, “and then were emptied out upon the surface soils. The pit was then reconstructed using a concrete lining.” The ERCE report goes on to say that according to one person who used to work there, “on at least one occasion following the reconstruction of the new pit, improper valve operation . . . resulted in a significant amount of sludge and water being discharged directly to South Halawa Stream.”

In the early 1980’s, “a subcontractor responsible for hauling wastes from the pit site to Pearl Harbor recycling facility was discovered dumping waste material via a hose into a heavily vegetated area located about 100 to 150 feet southwest of the new pit. The possible existence of sludge pumping to this location was also documented previously.” Since the 1960’s when the land was transferred from the Federal government to the State government, portions of the land contained an oily tar-like substance located by the Honolulu Animal Quarantine parking lot area. Over the years, this black substance continues to migrate towards the South Halawa Stream.

More recently, the Hawai`i Supreme Court affirmed the findings and order of the lower court in *Ching, et.al. v. Case, et. al.*, SCAP-18-0000432 (2019), for failing to inspect the



Pohakuloa Training Area to ensure that the U.S. Army was complying with the terms of the lease it entered into in August 1964. The lease required the Army to “make 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” and to “remove or bury all trash, garbage or other waste materials.” The Plaintiffs showed the court during the trial how unexploded ordnance and other military debris was left scattered across the training ground. The trial court Judge Gary Chang based his decision in part on the broadly understood native Hawaiian concept of “Malama `aina,” meaning the act of caring for land.

“Defendants have failed to preserve and protect the subject lands as required by their duties as a trustee of the public land trust,” Chang wrote. “Defendants have failed to Malama `aina the subject lands under the said lease. These failures constitute a breach of Defendants’ trust duties that apply to the subject lands. This failure has harmed, impaired, diminished, or otherwise adversely affected Plaintiffs cultural interests in the subject lands.”

The judge found that state officials “breached their trust duties” even though they were fully aware that live-fire training and other military training activities posed “a significant and substantial risk of harm or damage” to the state lands. The Pohakuloa Training Area is a 156-square-mile property used by the Army for combat training. 31 square miles of the military outpost are owned by the state and have been leased to the Army since 1964 for \$1.00. The lease expires in 2029.

Hawaii has numerous sites contaminated with ordnance dating back to World War II and the Cold War. In 2018, the Army began a \$3.5 million project to search for unexploded ordnance off Makua Beach in northwest O`ahu. Meanwhile the Army Corps of Engineers say it will cost \$723 million to clean up a former Navy artillery range in northwest Hawaii Island.

These are but two examples where an Ecosystem Restoration Commission can assist in restoring and preserving the natural beauty of our islands after being used for military purposes. As mentioned earlier, there are six areas used by the military that should be inventoried, identified to the extent such property has been environmentally damaged and any remediation thereof; identified which lands shall remain as set-asides for the United States government or returned to the State, County, or other entity; and if so, negotiate for the return of those lands that can be remediated and returned; and if the land cannot be returned, then it must still be remediated, including the Red Hill Underground Fuel Storage Tank field; Pohakuloa Training Area, Waikane Valley Marine Training Area; He`eia Combat training Area; Makua Valley Training Area; and Kaho`olawe Island Reserve.

For these reasons, we urge you to vote favorably on this bill to establish an ecosystem restoration commission to identify lands for environmental remediation and return of ownership and control of those lands to the State, County, or other entity for public use under the Public Trust Doctrine.

Mahalo for the opportunity to testify,



Josh Frost
Co-Chair, Legislation Committee
Democratic Party of Hawai'i



Zahava Zaidott
Co-Chair, Legislation Committee
Democratic Party of Hawai'i

<https://www.armytimes.com/news/your-army/2018/04/06/judge-hawaii-agency-failed-to-care-for-army-training-land/> (April 5, 2018)

<https://www.stripes.com/news/pacific/hawaii-judge-orders-uxo-cleanup-plan-for-army-training-range-on-big-island-1.520491> (April 4, 2018).

<https://www.hawaiinewsnow.com/story/25177462/the-halawa-tar-pit/>

<https://www.hawaiinewsnow.com/story/30060416/exclusive-5-m-gallon-oil-plume-beneath-pearl-harbor/>

<https://www.environment-hawaii.org/?p=3933> (1991)

<https://web.mst.edu/~rogersda/umrcourses/ge342/Red%20Hill%20Storage%20Tanks-revised.pdf>

<https://www.epa.gov/sites/production/files/2017-02/documents/redhillhawaii.pdf> (Feb. 2017)

LATE

SB-2779

Submitted on: 2/4/2020 6:30:05 PM

Testimony for WTL on 2/5/2020 1:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Ruth Aloua	Testifying for Malu Aina Center for Nonviolent Education and Action	Support	No

Comments:

DATE: February 4, 2020

Aloha,

I am writing in SUPPORT of HB2779 - RELATING TO THE ESTABLISHMENT OF AN ECOSYSTEM RESTORATION COMMISSION - establishing an ecosystem restoration commission to identify lands for environmental remediation and return ownership and control of those lands to the State, a county, or other entity. Passing of HB2779 supports the:

- Measures outlined in the State General Lease No. S-3849 (Signed August 7, 1964) when 22,971 acres were leased to the United States Military for 65 years charging \$1.00. Lease conditions state that the United States of America shall “avoid pollution or contamination of all ground and surface waters and remove or bury all trash, garbage and other waste materials resulting from Government use of the said premises.” With the expiration of the lease approaching on August 16, 2029 it is necessary that bills investigating the status and rehabilitation of occupied lands be made.**
- Findings of the Hawai’i Supreme Court in Ching v. Case finding that the “State had breached its trust duties” and that the United States Military complete a list of orders provided by the court. This bill supports the court's conclusions.**

- **Hawai'i County Resolution 639-08 passed on July 2, 2008, Urging the United States Military to Address the Hazards of Depleted Uranium at the Pohakuloa Training Area. In 2007, the Army confirmed that it has used Depleted Uranium (DU) radiation weapons at PTA dating back to the 1960s. The number of DU rounds fired is not known but the Army has said it is prohibited from firing DU weapons in training at PTA since 1996. Comprehensive, independent, testing and monitoring to determine the full extent of radiation contamination has yet to be done and should be conducted.**
- **Investigation of the seizing of 84,000 acres of land by the United States Military through Presidential Executive Order 11167. These are Hawaiian Kingdom lands that were illegally seized and remain illegally occupied today serving as the base for PÅ• hakuloa Military Training Area (PTA). When returned to the people of Hawai'i it will be crucial to know the (1) extent of contamination and (2) suggested measures to rehabilitate these lands.**

The health and wellbeing of the people of Hawai'i are intimately tied to that of our lands and waters. It is essential that we are proactive in the protection and rehabilitation of our islands to secure a future for our children. HB 2779 supports this and is in alignment with the lease agreement, Hawai'i Supreme Court finding, Hawai'i County Resolution, and the call of the people.

Ke Aloha 'Ä€ina,

Loke Aloua

President

Malu 'Ä€ina Center for Nonviolent Education and Action

SB-2779

Submitted on: 2/3/2020 10:45:15 AM

Testimony for WTL on 2/5/2020 1:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
William South	Individual	Support	No

Comments:

The passage of this bill is a no-brainer for Hawaii. Do the right thing and pass it!

SB-2779

Submitted on: 2/3/2020 10:50:30 AM

Testimony for WTL on 2/5/2020 1:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Dylan P. Armstrong	Individual	Support	No

Comments:

Aloha Chairs, Vice Chairs, and Members of the Committees on Water and Land, and Public Safety, Intergovernmental and Military Affairs.

I support the intent and thoughtfulness of Senate Bill 2779, and acknowledge Senator Mike Gabbard's initiative in introducing this measure.

With respect to the mission of the US Department of Defense and Hawai'i's strategic role in Oceania, commonly called the Pacific, I believe it is incumbent on us, as humans, and as stewards, to think of our relationship to the planet.

Anti-climate change arguments in the legislature often fault we kama'aina for being too few, too powerless to stop a global problem. But species extinction is a global problem with a capital in Hawai'i. We can and must do better. I alone have held in my hands the last known *Achatinella apexfulva*--"Lonesome George," as a caretaker for some years. I do not complain that the military is responsible for *A. apexfulva*'s extinction, but brush fires and invasive species and other human impacts on other endangered species' critical habitat are linked to military activities here. Current mitigation is slowing extinctions, but not stopping them. All of our ecosystems are in decline. Tree species that the generation of botanists before me call 'common' are increasingly rare or disappearing entirely from a ridge, as the range of many species grows patchier, less resilient.

We must stop our rapacious, mindless, assault on the Earth and to those whom much is given--in land, in leeway--much responsibility rests. Ecosystem restoration is more than a slogan. It may be the way that we save our children's future. And it is within our span of control.

Please pass this bill.

Thank you very much,

Dylan P. Armstrong, MÄ• noa

SB-2779

Submitted on: 2/3/2020 12:32:26 PM

Testimony for WTL on 2/5/2020 1:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Blake WATson	Individual	Support	No

Comments:

SB-2779

Submitted on: 2/4/2020 7:50:31 AM

Testimony for WTL on 2/5/2020 1:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
jeanne wheeler	Individual	Support	No

Comments:

As increasing evidence accumulates re toxicity on military bases around the nation, we need to address our own local situations as well - for the health & safety of all who are exposed/affected!

SB-2779

Submitted on: 2/4/2020 12:34:32 AM

Testimony for WTL on 2/5/2020 1:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Victor Muh	Individual	Support	No

Comments:

Re: test

From: David Ford (bigboatdave@yahoo.com)
To: icec002@hawaii.rr.com
Date: Tuesday, February 4, 2020, 08:50 PM HST



I David Ford am joining the SB2779 bill with the democratic parties that is badly needed this type of law toxin & waste should not be allowed to continue and poison then,, sicken the future population of Hawaii and all biologically entities.

Therefor as responsible " We The People United States of America" to make our country great and not waste for others including government to take a slow and inactive approach that will affect us all and our children in standing up for the basic rights of nature this bill is passed into law will give the general population, tools to fix it where needed

The badly needed legislation to bring about the healthiest society with,, out fear of the being victim's to a monster in the businesses and other toxic waste. that will kill

" We Must do Better THIS BILL BRINGS THAT ON THE MONEY IN THE RIGHT TIME LETS DO IT !!

DAVID FORD RET.. RADFORD 68 go rams AND STILL GOING master mechanic & crane master

808-228-3333

-
-
-
-

On Tuesday, February 4, 2020, 10:35:07 PM PST, icec002@hawaii.rr.com <icec002@hawaii.rr.com> wrote:

If this works, you should be able to reply and get through.

-- me ke aloha pumehana, Charley
A lover of life knows it's a labor divine

LATE

SB-2779

Submitted on: 2/5/2020 9:17:17 AM

Testimony for WTL on 2/5/2020 1:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Koohan Paik	Individual	Support	No

Comments:

As dictated by Section 2. Public Trust Doctrine: Management & Disposition of Natural Resources:

"The legislature shall vest in one or more executive boards or commissions powers for the management of natural resources owned or controlled by the State, and such powers of disposition thereof as may be provided by law; but land set aside for public use, other than for a reserve for conservation purposes, need not be placed under the jurisdiction of such a board or commission."

Many public lands in Hawaii are under federal control and have been used as military facilities. Such use has impacted lands extensively, including contamination of water and soil, or more immediate hazards, such as remaining unexploded ordnance. Immediate action in the form of an "Ecosystem Restoration Commission" is needed in anticipation of the upcoming expiration of land leases between the State and the United States federal government to ensure proper remediation and restoration of contaminated or otherwise hazardous lands.

As SB2779 states, the commission would create and maintain an inventory of all relevant lands, leases and expiration dates, and identify environmental damage and required remediation. The commission would also identify lands appropriate for lease extensions or continued use by the US government, and negotiate with federal agencies for return of control and the environmental remediation of parcels under control of the federal government. The commission is also tasked with ensuring transferral to appropriate State, County or other entity, along with recommendations for future use and remediation of each property.

With upcoming Federal lease of State land terms expiring, it is time to move forward with creation of this Commission, there is no more time to pass the buck. Please SUPPORT SB2779

Mahalo!

Koohan Paik