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## HOUSE RESOLUTION

URGING THE BOARD OF LAND AND NATURAL RESOURCES TO ESTABLISH A TASK FORCE TO PREPARE A FEASIBILITY PLAN FOR THE TRANSITION OF THE MANAGEMENT OF THE MAKUA MILITARY RESERVATION TO THE STATE FROM THE UNITED STATES ARMY UPON THE EXPIRATION OF GENERAL LEASE NUMBER S-3848.

1 WHEREAS, use of Makua Valley by the United States military  
2 dates back to the 1920s; and

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4 WHEREAS, during World War II, more than four thousand acres  
5 in the Makua Valley were converted into a United States military  
6 reservation and areas of Makua Valley were turned into live-fire  
7 training facilities subject to ship-to-shore bombardment; and

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9 WHEREAS, kuleana residents and other residents were  
10 required to leave Makua Valley following the United States  
11 military taking over the area; and

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13 WHEREAS, in 1964, the Board of Land and Natural Resources  
14 signed a sixty-five year lease with the United States Army for  
15 use of the Makua Valley land; and

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17 WHEREAS, the United States military continued live-fire  
18 training at Makua Military Reservation until 2001, when the  
19 United States Army agreed to nearly cease live-fire training at  
20 Makua pending a comprehensive Environmental Impact Statement;  
21 and

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23 WHEREAS, according to the findings of fact from a judge of  
24 the United States District Court for the District of Hawaii that  
25 temporarily enjoined the Army from conducting live-fire military  
26 training at Makua in 2001:

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28 (1) There are at least thirty-two listed endangered  
29 plants, two endangered birds, one endangered mammal,



1 and one endangered invertebrate snail located in the  
2 Makua Military Reservation area;

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4 (2) There are records of ten plant species recognized as  
5 species of concern, five plant candidate species  
6 recognized for threatened or endangered species  
7 status, and one animal species of concern in the Makua  
8 Military Reservation area; and

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10 (3) Makua Valley is associated with a number of Native  
11 Hawaiian legends and traditional Native Hawaiian  
12 deities, and has significant religious and social  
13 value to many Native Hawaiians; and

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15 WHEREAS, the Makua Military Reservation contains  
16 approximately one hundred sites that are eligible for listing on  
17 the National Register of Historic Places, including Hawaiian  
18 temples, shrines, and petroglyphs; and

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20 WHEREAS, the United States Army agreed to clear unexploded  
21 ordnances, with a focus on providing access to cultural sites in  
22 Makua; and

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24 WHEREAS, access to cultural sites was halted in 2015 after  
25 two grass-cutting contractors were injured when an unexploded  
26 ordnance was accidentally exploded, resulting in a lawsuit  
27 against the United States Army to renew access to cultural  
28 sites; and

29  
30 WHEREAS, General Lease No. S-3848, the State's sixty-five  
31 year lease to the United States Army for its use of Makua  
32 Valley, expires on August 16, 2029; now, therefore,

33  
34 BE IT RESOLVED by the House of Representatives of the  
35 Thirty-second Legislature of the State of Hawaii, Regular  
36 Session of 2023, that the Department of Land and Natural  
37 Resources is urged to establish a task force to prepare a  
38 feasibility plan for the transition of the management of the  
39 Makua Military Reservation to the State from the United States  
40 Army upon the expiration of General Lease No. S-3848 expires;  
41 and  
42



1 BE IT FURTHER RESOLVED that the task force is requested to  
2 be comprised of the Chairperson of the Board of Land and Natural  
3 Resources and a member of the Board of Trustees of the Office of  
4 Hawaiian Affairs, or the Board's designee; and

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6 BE IT FURTHER RESOLVED that the Chairperson of the Board of  
7 Land and Natural Resources is requested to invite the following  
8 persons to be members of the task force:

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- 10 (1) A representative of the Legislature;
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- 12 (2) The Commanding General of the United States Army  
13 Pacific, or the Commanding General's designee, to  
14 serve as a military representative;
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- 16 (3) A representative of families who were evicted from the  
17 Makua Valley Reserve or whose lands in the Makua  
18 Valley Reserve were condemned by the federal  
19 government;
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- 21 (4) A representative of the Aha Moku Advisory Committee;
- 22
- 23 (5) Three representatives, each representing a different  
24 non-profit organization, having expertise on Makua  
25 Valley; and
- 26
- 27 (6) A representative selected from a list provided by  
28 Native Hawaiian organizations; and
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BE IT FURTHER RESOLVED that the task force is requested to  
31 elect a chairperson from amongst its members; and

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33 BE IT FURTHER RESOLVED that in preparing the feasibility  
34 plan for the transition of the management of the Makua Military  
35 Reservation from the United States Army, the task force is  
36 requested to enter into discussions with the United States Army  
37 to:

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- 39 (1) Facilitate the expedient return of the valley reserve  
40 upon the expiration of the United States Army's lease;
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- 42 (2) Ensure the clean-up of any unexploded ordnance; and



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(3) Ensure the expansion of opportunities for cultural access; and

BE IT FURTHER RESOLVED that the task force is requested to include in the feasibility plan recommendations and policies that focus on the goal of transferring the lands currently held by the United States Army under General Lease No. S-3848 to the State, including:

(1) Holding the lands in trust as part of the public land trust; and

(2) Transferring management and control of the lands to the sovereign Native Hawaiian entity upon its recognition by the United States and the State; and

BE IT FURTHER RESOLVED that the task force is requested to submit a report of its findings and recommendations, including the feasibility plan and any proposed legislation, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2024; and

BE IT FURTHER RESOLVED that certified copies of this Resolution be transmitted to the United States Secretary of the Army, Commanding General of the United States Army Pacific, Chairperson of the Board of Land and Natural Resources, Chairperson of the Office of Hawaiian Affairs Board of Trustees, and Chairperson of the Aha Moku Advisory Committee.

OFFERED BY: 

MAR 10 2023

