



# Meeting Minutes

## Geotechnical Testing at Kuaokalā Ridge Section 106/Chapter 6E Consultation

### Meeting Minutes

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Date: October 11, 2018

Time: 6:00 PM – 8:30 PM

Location: Wahiawā District Park, Wahiawā, HI

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The purpose of the meeting was to present information about the Missile Defense Agency's (MDA) proposed geotechnical testing at Kuaokalā Ridge in support of the Homeland Defense Radar – Hawai'i (HDR-H) project and consult with Native Hawaiian Organizations and other consulting parties about the geotechnical testing. The purpose of the consultation was to answer questions about the proposal and receive input that would help the MDA comply with Section 106 of the National Historic Preservation Act and Chapter 6E of the Hawai'i Revised Statutes.

Dr. Buff Crosby, the environmental lead for the HDR-H project, began the meeting and Thomas Shirai from Kawaihapai Ohana opened the meeting with a pule. Dr. Crosby stated the meeting's purpose and introduced Rear Admiral Jon Hill (MDA Deputy Director), who discussed the purpose of MDA and the purpose and need for the HDR-H project. Rear Admiral Hill introduced some of the MDA and Department of Defense personnel at the meeting, including Brigadier General Mike Guetlein (MDA Program Director) and Brigadier General Okahara (National Guard, Adjutant General). Rear Admiral Hill also discussed the purpose of the stenographer recording the meeting, noting that if anyone did not want to be recorded, they should let her know and she would stop recording.

Dr. Crosby introduced additional MDA personnel and contractors present as subject matter experts: Adrienne Godfrey (Deputy Program Manager, Radar), David Klintstiver (MDA Facilities Lead), Frank Pendergast (HDR-H Deployment Product Manager), Elizabeth Leclerc (Contractor Archaeologist), Jeanne Barnes (Contractor Architectural Historian); as well as Major Chan and Lance Hayashi from Ka'ena Point Satellite Tracking Station (KPSTS). Dr. Crosby gave a brief presentation about the proposed geotechnical testing, where MDA is in the separate HDR-H environmental process, and results of the archaeological inventory survey of the Kuaokalā Ridge project area. Dr. Crosby reviewed the purpose of the comment period, which will end on October 24<sup>th</sup>, and provided the website where information is being placed ([www.mda.mil](http://www.mda.mil)).

A meeting participant discussed the backfilling of the auger borings and suggested that MDA install PVC pipe in the top 3-6 feet to cap each boring, so that once the analysis is done, the soil can be returned to each boring where it was removed. The participant was pleased that MDA contracted Keala Pono and completed the archaeological survey and detailed recording of Moka'ena Heiau. The participant requested that MDA and KPSTS submit a letter of recommendation that Moka'ena Heiau be placed on the Hawai'i Register of Historic Places and National Register of Historic Places. He stated the ku'ula stone found at

the heiau has to do with the story of Kumu Nui Akea, and menehunes that caught the kumu fish. He shared a newspaper article from 1957 of three men who found a koa, a fishing area, and caught many kumu fish. He related this is a modern mo'olelo that makes the story about the ku'ula stone and the power of fishing shrines true. The participant asked that when starting consultation for geotechnical testing at Kahuku Training Area that MDA prepare a brief presentation to give to the North Shore Neighborhood Board. Rear Admiral Hill asked if the participant could share any information about site TS-1. The participant responded that TS-1 is significant because of the information he shared, and that there is a cluster of sites called the Ka'ena Complex down in the Natural Area Reserve outside of the APE. He noted an exceptionally significant site in this complex (outside of the APE) is the Leina a ka 'Uhane stone.

A participant asked about the terms of the lease for 28 acres of KPSTS leased-land that MDA would use for the HDR-H project, and whether the MDA intends to enter into a new lease for the state land that would be used. She asked if MDA is dealing with the issues around contestation of those lands. Mr. Pendergast stated that the KPSTS lease expires in 2029, and MDA is still looking at different possibilities related to the land. The MDA is doing a title search right now to see if there are any rights to the land. MDA is looking at a long-term lease for the HDR-H construction area and a short-term lease for a lay-down area. The participant asked about the fee for the KPSTS lease, which Mr. Pendergast replied he believed was a no-fee lease, which Mr. Hayashi confirmed.

Another participant asked if MDA had copies of the permits related to the lease or for doing the geotechnical testing. She knew that MDA has a special use permit to do the geotechnical testing. She asked why MDA is even conducting consultation if they already have permission to conduct the testing. Dr. Crosby and Mr. Klintstiver explained that the special use permit from DLNR is not valid until the MDA completes consultation with the State Historic Preservation Division with a finding of no adverse effect on historic properties. The participant stated that the project area is in a sub area that has higher protections within DLNR's spectrum. She requested a copy from MDA so that they can review and see what the special use permit allows MDA to do. Several participants discussed that if MDA already has a permit, that means the activity is already programmed and they are now only looking for comment about historic properties.

A participant stated the geotechnical testing would be sacrilegious, explaining that the project is right in the heiau, which is not a rock but an area. The borings would be where the mana, the spirit, is. She stated the MDA is looking for permission from a government organization, but are not asking the native Hawaiians for permission. MDA should be contacting local people with lineal ancestry and connection to the area. The participant referred to the native Hawaiian right to gather food and plants, and that people go to the project area to get medicinal plants, but the HDR-H project will change their access. She also commented that the facility will have toilets, and that they will be putting human waste into the land where their ancestors put their energy and life. She stated that native Hawaiians do not build in this area, because it is sacred, and when they go there it is with a sacredness like they enter a church. She and other participants continued discussing that the MDA already has the permit, and had the permit at the previous meetings in August, and that their input will not influence MDA's decision at this point.

A participant discussed her generational ties to the area, and that her kupuna are scattered in the project area. She stated that MDA does not need to know where the iwi are, only that their disturbance will disrupt the iwi. She stated that if MDA restricts access to the project area, they are taking away her ability to go and be with her kupuna. She discussed the eligibility of TS-1 and stated that every site should be recognized; every site is important, regardless of its condition.

A participant discussed that the project area contains plants that native Hawaiians could use for food, medicine, and adornment that do not exist anywhere else. She stated that the HDR-H EIS is going to tell the MDA which spot to pick for building the facility, but they want to have a voice that says do not do geotechnical testing at Kuaokalā Ridge, because it is not the right place. She elaborated that MDA picked Kuaokalā Ridge as one of the alternatives because it is the perfect site for the system, they did not choose it because it is the right place for Hawai'i and its people. She asked that MDA back out of considering this alternative if they have the ability to do so.

A participant shared his generational ties to the Moka'ena Heiau, stating his kupuna came from Kaua'i and built the heiau on O'ahu for a specific purpose, as an outpost to warn his family on Kaua'i about Kamehameha's arrival. After the pact between Kamehameha and Kaumuali'i, they abandoned the heiau and local people were able to use it for their own purposes. He shared that the name of the place is not Kuaokalā, but Kū'ōkala, with "kū'ō" referring to the howling, of oli, and "kala" being what allows the oli to get out into the atmosphere. He stated that the true name of site TS-1 is Pu'u o Pohaku Hāpaina. "Hāpaina" refers to the lifting of something into the air. He shared that TS-1 is the place where kahuna would demonstrate their ability to oli with the correct intonation to resonate and move rocks and therefore build the heiau. He also clarified that the correct name of the heiau is Moku'ena. The participant discussed that the howling referred to in the name Kū'ōkala was the sound of oli sent from the heiau across the channel between O'ahu and Kaua'i, which his kupuna named Ka'ie'ie Wāho (or "the vine that binds" referring to the link between the two islands) to remind them of their lineal descent from Kaua'i. The participant stated that the MDA's proposal to build the HDR-H facility is virtually identical to what his family did with the heiau, but is a modern version. He said that to him, the MDA's proposal has significance, but asks that they do it appropriately and talk to the local community. He commented that the threat to Hawai'i is not North Korea, but the U.S. military presence in Hawai'i. He stated that since the military is not going to leave, they need to work together and make the islands safe. The participant also commented on the sacredness of the land now, stating that he does not speak for others in the room and does not speak to contradict them. He also called on MDA to apologize if they misled people about already having the permit.

Dr. Crosby spoke to the special use permit, stating that MDA does have a permit, but that the permit is not valid until MDA completes Section 106 of the National Historic Preservation Act. That is why MDA did the archaeological survey, why they are consulting and having these meetings. She stated that MDA cannot do the borings until they've completed this process and satisfactorily addressed comments. She stated that MDA is unlikely to make everyone happy, but they are doing their best to incorporate comments into what they are doing. If there is a misunderstanding of what the permit says, then MDA needs to fix that. She stated MDA's intent is to continue discussing with the community throughout this project.

A participant asked how many of the radar stations MDA has built had traditional cultural property (TCP) studies done. Dr. Crosby answered that not many had TCP studies, but she did not know an exact number. The participant stated that the TCP study would give MDA the understanding that they cannot go ahead with the project, and this is why the federal government does not do them. He stated that MDA needs to do a cultural assessment parallel to the environmental assessment; otherwise, all of the archaeological study and consultation is like doing an ethnographic study and taking testimony that is never published. He also stated that the SHPD is a state agency, a subdivision of the United States, and does not represent native Hawaiians; that is, consultation with SHPD does not include native Hawaiians as part of the decision. He said native Hawaiians do not have to share with the MDA, because they are not family, and will proceed with their projects despite the impacts. He objects to this program and to any program that fails to recognize the sensitivity of the land that is their birthright.

He commented that people have shared very deep testimony [at the meeting] because this issue is important. The heiau and the project area are just one facet of an entire feature – the place where they are conceived to be part of the world, where they are born, and where they leap off (into the afterlife). He stated that Hawaiians understand this as their history, and they can trace themselves back genealogically to the first born descendants of gods.

The participant discussed that the land is the issue. He shared that the land is family; it must be loved and cared for to be able to trace genealogy, and if the land doesn't exist then the genealogy doesn't exist. He stated that a 30 meter buffer is not enough. He said that they do not need the tax map key to tell them who owns the land and who comes from the land, stating that families have stones to tell us where they are from, and have generational ties. He stated that the mana cannot be taken from the land. The participant also discussed the need for a treaty of peace between the United States and Kingdom of Hawai'i, which is a neutral nation that is being occupied.

Another participant stated that MDA should focus on the testimony given by people with family ties to the land. He shared his family ties to Ka'ena Point and stated that he is not just a book scholar, but has put together what he saw and learned growing up with the documentation of today. He called on MDA to use the actual names provided by participants during the meeting. He commented that these names are important, and shared some of the meanings behind places in the area and his own family name. He also stated that Hawaiians do not like to be put forced to choose between one thing and another, it is very uncomfortable to say "choose this place instead." However, he said if forced to choose, he would ask that MDA choose Kahuku Training Area for the HDR-H project.

Rear Admiral Hill closed the meeting and thanked everyone for participating and sharing their comments and stories.