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MINORITY LEADER  
BOB HOGUE  
MINORITY FLOOR LEADER  
PAUL WHALEN  
MINORITY POLICY LEADER

The Senate  
The Twenty-Second Legislature  
of the  
State of Hawaii

STATE CAPITOL  
HONOLULU, HAWAII 96813

May 10, 2004



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709725

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LORRAINE H. INOUE  
SECOND DISTRICT  
RUSSELL S. KOKUBUN  
THIRD DISTRICT  
PAUL WHALEN  
FOURTH DISTRICT  
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FIFTH DISTRICT  
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J. KALANI ENGLISH  
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TWELFTH DISTRICT  
GORDON TRIMBLE  
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FOURTEENTH DISTRICT  
DONNA MERCADO KIM  
FIFTEENTH DISTRICT  
NORMAN SAKAMOTO  
SIXTEENTH DISTRICT  
DAVID Y. IGE  
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RON MENOR  
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WILLIE C. ESPERO  
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COLLEEN HANABUSA  
TWENTY-SECOND DISTRICT  
ROBERT BUNDA  
TWENTY-THIRD DISTRICT  
MELODIE WILLIAMS ADUJA  
TWENTY-FOURTH DISTRICT  
BOB HOGUE  
TWENTY-FIFTH DISTRICT  
FRED HEMMINGS  
CHIEF CLERK  
PAUL T. KAWAGUCHI

The Honorable J. Dennis Hastert  
Speaker of the House  
United States House of Representatives  
235 Cannon House Office Bldg.  
Washington, D.C. 20515

Dear Speaker Hastert:

I transmit herewith a copy of Senate Concurrent Resolution No. 212, which was adopted by the Senate and the House of Representatives of the Twenty-Second Legislature of the State of Hawaii, Regular Session of 2004.

Sincerely,

Paul T. Kawaguchi  
Chief Clerk  
Hawaii State Senate

RECEIVED  
MAY 28 AM 10:17  
SPEAKER'S ROOMS  
U.S. HOUSE OF REPS.

10/10/10

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MAR 24 2004

S.C.R. NO. 212

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# SENATE CONCURRENT RESOLUTION

REQUESTING THE FEDERAL GOVERNMENT TO CONDUCT A THOROUGH  
EVALUATION OF THE CONDITION OF THE 187-ACRE PROPERTY  
SITUATED IN WAIKANE VALLEY THAT WAS USED BY THE UNITED  
STATES MARINE CORPS FOR ORDNANCE TRAINING UNTIL 1976, PLAN  
FOR AND CONDUCT AS THOROUGH A CLEAN-UP AND REMOVAL OF  
ORDNANCE AS IS TECHNOLOGICALLY POSSIBLE, CONDUCT AN  
ENVIRONMENTAL ASSESSMENT OF THE POTENTIAL RISK TO HUMAN  
HEALTH AND SAFETY, AND RETURN THE LAND TO THE STATE OF  
HAWAII.

1           WHEREAS, Waikane Valley contains undeveloped land in the  
2 ahupuaa of Waikane on Oahu's windward side; and

3  
4           WHEREAS, 33 years ago, the United States Marine Corps  
5 obtained 187 acres in Waikane Valley, commonly referred to as  
6 the "Waikane Training Area," for military jungle and live  
7 ordnance training; and

8  
9           WHEREAS, the United States Marine Corps has announced its  
10 intention to close the Waikane Training Area, but as recently as  
11 last year, the United States Marine Corps has sought to use  
12 Waikane Valley for more military jungle training; and

13  
14           WHEREAS, ironically, Waikane Valley was abandoned as a  
15 training site by the United States Marine Corps because of  
16 safety concerns over the use of high explosive anti-tank and  
17 bazooka rounds used in the past and the insufficient data to  
18 determine the exact number of ammunition rounds fired in the  
19 valley; and

20  
21           WHEREAS, the United States Marine Corps originally obtained  
22 the right to use the Waikane Training Area by a lease from the  
23 McCandless Estate and Waiahole Water Company in 1953 and  
24 subsequently by a lease from the same parties and the heirs of  
25 John Kamaka; and  
26



1           WHEREAS, the Kamaka heirs acquired title to the Waikane  
2 Training Area by quitclaim deed in June of 1972 and terminated  
3 the lease with the United States Marine Corps in 1976; and  
4

5           WHEREAS, between 1976 and 1993, the United States Marine  
6 Corps conducted several investigations and ordnance removal  
7 efforts on the property and concluded that the Waikane Training  
8 Area could never be certified as being clear of ordnance; and  
9

10           WHEREAS, the United States Navy and Marine Corps acquired  
11 title to the Waikane Training Area in 1993 by condemnation as a  
12 means to address the problem of not being able to fulfill their  
13 lease obligations to return the property to the Kamaka heirs in  
14 an ordnance-free and safe condition; and  
15

16           WHEREAS, land in Hawaii, and particularly agricultural and  
17 conservation land, is Hawaii's most precious and limited  
18 resource; and  
19

20           WHEREAS, Waikane Valley has served historically as  
21 important agricultural area for the island of Oahu and contains  
22 precious archaeological and historic sites; and  
23

24           WHEREAS, regardless of the 1993 condemnation, members of  
25 the Waikane community believe that the United States Marine  
26 Corps should live up to their commitment of cleaning up the  
27 land, and they have expressed their desire to have the Waikane  
28 Training Area restored to a condition that will permit them to  
29 return to the aina and engage in farming and other agricultural  
30 activities that would be appropriate based on the condition of  
31 the remediated property; and  
32

33           WHEREAS, the federal government and military have  
34 previously demonstrated their will and capacity to honor their  
35 obligations to remediate and restore other equally or more  
36 severely contaminated installations upon closure under the  
37 Formerly Used Defense Site Program, Defense Environmental  
38 Restoration Program, Installation Restoration Program, other  
39 Department of Defense initiatives and programs, and with special  
40 appropriations from Congress; and  
41

42           WHEREAS, the current official position of United States  
43 Department of Defense is that no ordnance-contaminated site can  
44 ever be certified as being clear of unexploded ordnance; and



1  
2 WHEREAS, based on the inability to certify the Waikane  
3 Training Area as being clear of unexploded ordnance, the United  
4 States Navy and Marine Corps are considering permanent closure  
5 of the property to the general public by erecting a security  
6 fence around the area; and  
7

8 WHEREAS, the permanent closure of the Waikane Training Area  
9 would be a devastating loss of precious agricultural,  
10 historical, cultural, and natural resources to Hawaii; and  
11

12 WHEREAS, with sufficient funding from existing restoration  
13 programs or special appropriations from Congress, or both, the  
14 United States Navy and Marine Corps have the means to clean-up  
15 the Waikane Training Area to a condition that is reasonably safe  
16 for certain restricted uses, provided long-term monitoring and  
17 guidelines are established; now, therefore,  
18

19 BE IT RESOLVED by the Senate of the Twenty-Second  
20 Legislature of the State of Hawaii, Regular Session of 2004, the  
21 House of Representatives concurring, that the federal government  
22 is requested to conduct a thorough evaluation of the condition  
23 of the Waikane Training Area, particularly with regard to  
24 environmental and ordnance-related hazards that exist on the  
25 property; and  
26

27 BE IT FURTHER RESOLVED that the federal government is  
28 requested to plan for and conduct as thorough a clean-up of the  
29 Waikane Training Area as is technologically possible, including  
30 the remediation or removal of all environmental hazards and  
31 contamination and removal of all practice and live ordnance; and  
32

33 BE IT FURTHER RESOLVED that the federal government is  
34 requested to conduct a post-clean-up environmental assessment of  
35 the Waikane Training Area evaluating the potential risks to  
36 human health and safety, for the purpose of determining the  
37 types of uses and activities that could appropriately be  
38 conducted on the property with minimal risk to potential users  
39 and the community at large; and  
40

41 BE IT FURTHER RESOLVED that the federal government is  
42 requested to return the Waikane Training Area to the State of  
43 Hawaii upon completion of the clean-up; and  
44



# S.C.R. NO. 212

1 BE IT FURTHER RESOLVED that the federal government is  
 2 requested to appropriate sufficient funds to plan for,  
 3 implement, and complete the rehabilitation and transfer of the  
 4 Waikane Training Area; and  
 5

6 BE IT FURTHER RESOLVED that the members of Hawaii's  
 7 congressional delegation are requested to assist in seeking and  
 8 obtaining the relief sought above; and  
 9

10 BE IT FURTHER RESOLVED that certified copies of this  
 11 Concurrent Resolution be transmitted to President of the United  
 12 States, President of the United States Senate, Speaker of the  
 13 United States House of Representatives, members of Hawaii's  
 14 congressional delegation, the Commandant of the Marine Corps,  
 15 and the Secretary of the Navy.  
 16  
 17  
 18

OFFERED BY:

Wlodzislaw Adzyski  
 Willie Espino  
 Amel Y. Jaz  
 Yaka L. Li

I hereby certify that the foregoing is a true  
 and correct copy of Senate Concurrent Resolution  
 No. 212, which was duly adopted by the Senate  
 of the State of Hawaii on April 16, 2004,  
 with the concurrence of the House of Representatives  
 Dated: May 10, 2004

  
 Assistant Clerk of the Senate

