



Record of Decision
for
Waikoloa Maneuver Area, Project 19 – Sector 15
South Kohala, Island of Hawai‘i, Hawai‘i

FUDS Project No. H09HI035919

Prepared for:
U.S. ARMY CORPS OF ENGINEERS, HONOLULU DISTRICT
Building 230
Fort Shafter, Hawai‘i 96858-5440

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LIST OF ACRONYMS AND ABBREVIATIONS

CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CFR	Code of Federal Regulations
CSM	Conceptual site model
DERP	Defense Environmental Restoration Program
DHHL	Department of Hawaiian Home Lands
DLNR	Department of Land and Natural Resources
DoD	Department of Defense
EE/CA	Engineering Evaluation/Cost Analysis
ft	Foot (feet)
FUDS	Formerly Used Defense Sites
HDOH	Hawai‘i Department of Health
INPR	Inventory Project Report
MC	Munitions constituents
MD	Munitions debris
MEC	Munitions and explosives of concern
MRS	Munitions response site
NCP	National Oil and Hazardous Substances Pollution Contingency Plan
NTCRA	Non-time-critical removal action
RI	Remedial investigation
ROD	Record of Decision
UIC	Underground injection control
USACE	U.S. Army Corps of Engineers
WMA	Waikoloa Maneuver Area

1. DECLARATION

1.1 PROJECT NAME AND LOCATION

Project Name: Waikoloa Maneuver Area, Project 19 – Sector 15
FUDS ID: H09HI035919

Location: South Kohala, Hawai‘i

1.2 STATEMENT OF BASIS AND PURPOSE

This Record of Decision (ROD) presents the No Further Action decision for Waikoloa Maneuver Area (WMA), Project 19 – Sector 15 (“Sector 15”), in South Kohala, Hawai‘i, which was made in accordance with the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), as amended by the Superfund Amendments and Reauthorization Act of 1986, and the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), 40 Code of Federal Regulations (CFR) Part 300. This decision is based on the Administrative Record File for Sector 15.

The State of Hawai‘i Department of Health (HDOH) concurs with this decision.

1.3 DESCRIPTION OF DECISION

Based on the data collected during the remedial investigation (RI) and multiple lines of evidence reviewed during the development of the RI report, there is no evidence of use of munitions and explosives of concern (MEC) within Sector 15. (U.S. Army Corps of Engineers [USACE] 2023a). Because there is no source of an explosive hazard or contamination, the exposure pathways are incomplete. Therefore, no further CERCLA action is necessary at Sector 15.

1.4 STATUTORY DETERMINATIONS

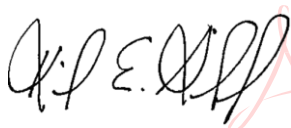
No remedial action is necessary to protect human health and the environment at Sector 15.

1.5 AUTHORIZING SIGNATURE

This Record of Decision presents the No Further Action decision for Sector 15, South Kohala, Hawai‘i. The Department of Defense (DoD) is the lead agency under the Defense Environmental Restoration Program (DERP) at the WMA Formerly Used Defense Site, and USACE has developed this Record of Decision for DoD consistent with the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), as amended, and the National Oil and Hazardous Substances Pollution Contingency Plan (NCP). This Record of Decision will be incorporated into the larger Administrative Record File for the WMA, which is available for public review at the Thelma Parker Memorial Library (67-1209 Māmalahoa Highway, Kamuela, Hawai‘i 96743-8429) and the USACE, Honolulu District office upon request (230 Otake Street, PPE Room 104, Fort Shafter, Hawai‘i 96858-5440).

This document, presenting the No Further Action decision, with a total cost to complete estimate recorded in the Formerly Used Defense Sites Management Information System of \$0, is approved by the undersigned and pursuant to the delegated authority in the CEMP-CE Memorandum dated 8 July 2022, Subject: Re-delegation of Assignment of Mission Execution Functions Associated with Department of Defense Lead Agent Responsibilities for the Formerly Used Defense Sites Program.

APPROVED:

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KIRK E. GIBBS
Brigadier General, USA
Commanding

28-Nov-23

Date

2. DECISION SUMMARY

2.1 SITE NAME, LOCATION, AND BRIEF DESCRIPTION

The WMA Formerly Used Defense Sites (FUDS) property consists of approximately 185,309 acres and is located on the northwest side of the island of Hawai‘i, Hawai‘i, in the South Kohala District, approximately 30 miles north of the town of Kailua. It is divided into 22 munitions response sites (MRSs) that were identified as requiring investigation for MEC and MC. This Record of Decision (ROD) addresses Sector 15, FUDS project number H09HI0359-19 (**Figure 2-1**). The Department of Defense (DoD) is the lead agency under the DERP and USACE has developed this ROD for DoD with concurrence and support from State of Hawai‘i, Department of Health (HDOH) the lead regulatory agency. Stakeholders identified for Sector 15 include the Department of Hawaiian Home Lands (DHHL), private landowners, lessees, and other community members.

Sector 15 consists of 11,200.2 acres located in the northeast portion of the WMA. Māmalahoa Highway is located to the north of Sector 15 and Waimea is located to the northwest. Most of Sector 15 is Hawaiian homestead land known as Pu‘ukapu under the management of DHHL. Leases are designated for residential, agricultural, and pastoral use. There is a small portion of Sector 15 where the parcels are privately owned. The northern portion of the MRS has residential and agricultural lots, and the rest of the area features pastoral lots. Sector 15 is accessible by county roads, but private gates and fences limit general access to most of the project area.

The Assistant Secretary of the Army (Installations, Energy and Environment) has FUDS lead agent authority, and USACE has been delegated mission execution responsibility for the FUDS Program. The WMA is being addressed under the FUDS Program. Funding for the decision was provided by Environmental Restoration Account, FUDS. HDOH is the lead regulatory agency and provides oversight of the project to ensure compliance with State requirements. HDOH has reviewed the ROD and is in concurrence with the decision of No Further Action for Sector 15.

2.2 SITE HISTORY AND ENFORCEMENT ACTIVITIES

This section summarizes the history of the WMA and previous investigations and removal actions conducted at Sector 15.

2.2.1 Site History

The WMA was acquired by the U.S. Navy in 1943 through a licensing agreement with Richard Smart of the Parker Ranch. The land was obtained for use as a World War II military training camp (Camp Tarawa), non-fire maneuver range, and live fire range. Portions of the WMA were used as an artillery firing range, others for troop maneuvers and some areas may not have been used for any military training activities.

A map from 5th Marine Division records, circa 1945, shows the military uses of portions of the WMA. Overlaying the boundary of Sector 15 on that map shows that Sector 15 is located within an area identified as “Maneuvering Range” (**Figure 2-2**). Additionally, a 1943 map prepared by the 2nd Marine Division for proposed training areas designated the area currently within Sector 15 as a Maneuver Area. A note defined on the map states: “Maneuver Area. No firing to be allowed in this area.” (USACE, 2022).

2.2.2 Previous Investigations and Removal Actions

2006 Phase III Engineering Evaluation and Cost Analysis (EE/CA). The Phase III EE/CA was conducted to characterize the risks from munitions-related items across multiple MRSs, including Sector 15 (USACE 2006). The review of the Phase III EE/CA was performed to support conclusions made about munitions use within Sector 15. No MEC or MD were found on the surface or at the 865 subsurface anomalies that were investigated, and the MRS was designated as a low hazard area (USACE 2006).

2009 Non-Time-Critical Removal Actions (NTCRAs) in MRSs Adjacent to Sector 15. In 2009, NTCRAs were conducted over several hundred acres covering the majority of the area adjacent to Sector 15. The nearest munitions items were discovered approximately 0.5 miles west (in Area J) and farther west in Areas R and Q (**Figure 2-3**) (USACE 2009). There were no munitions found in the adjacent areas that indicate munitions use (e.g., target areas) may have extended into Sector 15.

2010 NTCRA in Sector 15. In 2010, a NTCRA was conducted on 491.9 acres within Sector 15 (USACE 2010). During the removal action, 4,746 anomalies were investigated, and no MEC or MD were found.

2016-2017 Remedial Investigation (RI) of Sector 15. The 2016-2017 RI field effort focused on that portion of the MRS outside of the 491.9-acre area where a NTCRA was performed in 2010. A primary objective of the RI was to establish the presence or absence of munitions and, if determined to be present, the type and distribution of the items. Munitions by design break into many smaller fragments when expended, which result in a high density of metallic items where they were used. These high density areas are also likely places to find dud munitions. As such, the field team looks for high density areas that are indicated by a high number of detections called anomalies. All anomalies in high anomaly density areas were intrusively investigated to determine if the area was used for training as indicated by metallic fragments or dud munitions. In addition, a selected number of anomalies were dug along transects in low anomaly density areas to visually confirm what caused the geophysical detector to identify them as anomalies (**Figure 2-4**). Intrusive investigations were conducted along all transects. In total, 12,143 anomalies were dug to visually confirm the presence or absence of MEC. All dug anomalies except one were confirmed to be iron rich-rock or soil and non-munitions related debris such as horseshoes, nails, and pieces of scrap metal.

The exception was a single MEC item, a partial warhead of a 2.36-inch rocket. The MEC item was in an area without any surrounding metallic fragments that would indicate it was intentionally fired, suggesting that a different mechanism resulted in its presence at the site (USACE, 2023a RI Report, Section 3.2.3). A geophysical survey was conducted on a 300-foot (ft) by 300-ft area around the location of the MEC item and investigated with a 100% coverage; 37 anomalies were identified and investigated, and no additional MEC, MD, or range-related debris were found. Based on the analysis of the anomaly density map created from the RI transect data and the investigation of 12,143 geophysical survey anomalies that resulted in no other MEC, MD, or range-related debris being found, along with the other RI results, which showed no evidence of MEC or MD anywhere else in the MRS, the RI report concluded that the single MEC item was an anomalous find rather than the result of military munitions operations being conducted in Sector 15 (USACE 2023a). The absence of additional parts or pieces of the

MEC item or any additional MEC or MD indicates not only that it was not a target area, but that the item was not fired or detonated at that location. While the release mechanism for the 2.36-inch rocket is unknown, based on the absence of any other evidence of munitions use in the immediate vicinity or elsewhere in the MRS, it is highly unlikely that its presence was the result of a traditional release mechanism (e.g., target area or disposal). It is more likely that the item was accidentally or intentionally relocated to Sector 15.

2018 RI of Project 23 (Area F). In 2018, an RI was carried out for Project 23 (Area F), which is adjacent to Sector 15. No MEC or MD were found on or near the shared boundary of the two MRSs, and the closest MD was found over 0.5 miles to the west of the Sector 15 border (USACE 2018).

2021 Historical Photographic Analysis. The Army Geospatial Center finalized a Historical Photographic Analysis of the WMA on 5 April 2021 (Army Geospatial Center 2021). This report analyzed aerial photography to identify evidence of previous military and other historically significant activities across the WMA. For Sector 15, the report states: “Tracks and trails are observed within the southern part of the sector. The upper sector appears to be used primarily for agriculture and grazing lands and is or was subdivided into separate areas by fencing or walls.” The analysis did not identify any evidence of munitions or other military uses within Sector 15.

2022 Final Preliminary Assessment for the Waikoloa Maneuver Area. Based on historical records evaluated to inform the 2022 Preliminary Assessment, the site is within the area identified as “*Non-Firing Maneuver Area*” (USACE 2022). No records were found that indicated any munitions-related activities were conducted within the site. The Preliminary Assessment references documents that stated firing was not allowed on grazing land, which included Sector 15 (2nd Marine Division Proposed Training Areas 1943 map), that weapons training was prohibited near permanent structures (water tanks, pipelines, troughs), and that cattle or livestock was not to be disturbed (5th Marine Division range regulations). According to the Preliminary Assessment, U.S. Army Garrison Hawai‘i and Hawai‘i County Fire and Police incident reports were reviewed, and no MEC incidents have been reported within the site.

2.2.3 2023 Remedial Investigation Report

As part of preparing the 2023 RI Report, a Data Gap Analysis was conducted to further analyze the RI data and to confirm that the conclusions for the MEC characterization were accurate and complete. The Data Gap Analysis confirmed that the data collected during the 2016-2017 RI field effort were of sufficient quality and quantity to characterize the site. The data show that military munitions operations were not conducted in the area and that there is no source of MEC or MC within Sector 15. Therefore, the RI Report designated Sector 15 as a No Evidence of Use area and recommended No Further Action for MEC and MC at this MRS (USACE 2023a).

2.2.4 Comprehensive Environmental Response, Compensation, and Liability Act Enforcement Actions

There have been no CERCLA enforcement actions at Sector 15 MRS.

2.3 COMMUNITY PARTICIPATION

Community involvement for the WMA began in July 1999 with an initial public meeting by the USACE Honolulu District to inform the public of plans to conduct environmental cleanup projects through the DERP FUDS program. USACE invited representatives from neighborhood boards, community associations, environmental groups, community organizations, state and local government agencies, local business organizations, area residents, and elected officials. The WMA Community Involvement Program is still strong in supporting neighborhood outreach events and an active Restoration Advisory Board, which holds biannual meetings to present the progress to the community. The USACE Community Involvement Program provides the community with information essential to their understanding of USACE activities, promotes two-way communication between USACE and the community, and supports opportunities for input during the decision-making process regarding future USACE activities at WMA. USACE participated in outreach events at local farmers’ markets and other community events.

As part of Public Outreach and Community Participation, the Final RI Report (USACE 2023a) and the Final Proposed Plan (USACE 2023b) for Sector 15 were made available to the public on 18 April 2023 and 24 July 2023, respectively. The notice announcing the availability of these documents was published in the *West Hawai‘i Today* on 23 July 2023 and included a brief analysis of the proposed plan. A public comment period was provided from 24 July 2023 to 25 August 2023. In addition, a public meeting was held on 12 August 2023 to present the Proposed Plan. At the meeting, representatives from USACE answered questions and presented information about Sector 15 and the proposed No Further Action decision. The proposed plan and all relevant information were made available in the administrative record during the public comment period. Detailed information about the previous studies and restoration activities was available in the reports and documents contained in the information repository located at Thelma Parker Memorial Library, 67-1209 Māmalahoa Highway, Kamuela, Hawai‘i 96743-8429; telephone 808-887-6067. Sector 15 lands are held in trust by DHHL for the benefit of Native Hawaiians administered under the homesteading program. A review of Hawai‘i County land use planning documents show the current and future land uses are residential, agricultural, and pastoral. The Corps' response to the comments received during the public comment period is included in the Responsiveness Summary, which is part of this ROD.

2.4 SCOPE AND ROLE OF DECISION

This ROD selects No Further Action as the decision related to MEC and MC at Sector 15. USACE has concluded that no CERCLA action is necessary to ensure protection of human health or the environment from MEC or MC. The remaining MRSs are being addressed in accordance with CERCLA under other response actions.

2.5 PROJECT CHARACTERISTICS

This section provides an overview of the physical characteristics of Sector 15 including topography, geology, and ecology, and describes the nature and extent of contamination.

2.5.1 Conceptual Site Model

A conceptual site model (CSM) describes the contaminant sources, release and transport mechanisms, exposure media, exposure pathways, and potentially exposed human populations for a site. The CSM is broken into three sections: (1) Sources—areas where MEC or MC has or may enter the environment, (2) Interactions—the hazard from MEC or MC that may arise as a result of receptors coming in contact with source areas, and (3) Receptors—organisms (human or ecological) that have the potential to come in contact with a chemical or physical agent at the present time or in the reasonably anticipated future. The CSM summarizes potential receptor exposure pathways for MEC or MC that are or may be “complete,” “potentially complete,” or “incomplete.” All elements of the pathway must be present for a pathway to be considered “complete” or “potentially complete,” including a source of MEC, a receptor that might be affected by contamination, and a method for which the receptor may be exposed to the contaminant.

Potential Sources—No potential sources were identified. Based on the results of the RI, including the additional lines of evidence reviewed during the data gap analysis, no MEC contaminated areas and no MC sources were identified within Sector 15.

Receptors—Potential human receptors include current/future landowners (which includes indoor and outdoor workers), current/future residents, current/future site visitors and trespassers. Future land use in Sector 15 is anticipated to be similar to current use. Therefore, residents are considered as potential future receptors throughout Sector 15. For MC, potentially affected ecological receptors include terrestrial plants, soil invertebrates, birds, and mammals. Ecological receptors are not considered receptors for MEC.

Exposure Pathways—The preliminary CSM for Sector 15 indicated a potentially complete MEC exposure pathway; however, no potential MEC or MC source was identified in Sector 15. This conclusion is supported by the findings of the RI, historical photograph analysis, the 2022 Preliminary Assessment, and other lines of evidence that Sector 15 was used mainly for grazing and ranching activities and not for military munitions training. There is no complete MEC or MC exposure pathway for Sector 15.

2.5.2 Physical Characteristics

2.5.2.1 Regional Climate

The climate in Waimea, located just northwest of the project site, consists of mild temperatures and moderate high humidity. The annual mean temperature is 75.2 degrees Fahrenheit. Seasonal differences in rainfall define wet and dry seasons on Hawai‘i. The months of October through March (the wet season) receive 80% (17.37 inches) of the annual rainfall and April through September (the dry season) receive 20% (4.33 inches) of the rainfall. The dominant winds in Hawai‘i are northeasterly trade winds. During the winter months (October through April) the trade winds may be interrupted by stormfronts or migratory cyclones from the northern latitudes. As a result, the winter months have more frequent clouds and rainstorms as well as southerly and westerly winds (USACE 2023a).

2.5.2.2 Topography and Vegetation

The WMA includes rolling terrain that is slightly dissected uplands and lava plains. The elevation across Sector 15 ranges from approximately 2,700 to 3,700 ft above sea level. The northern portion of the MRS consists of essentially level plains whereas the southern portion of the MRS consists of rolling slopes of Mauna Kea. Across the MRS, vegetation consists mostly of shallow grasslands used for agricultural needs. A variety of trees are used to outline private property parcels. About 2,700 acres of the southern portion of the MRS is defined by relatively vegetation-sparse ancient basalts.

2.5.2.3 Geology

The WMA is surrounded by three of the five shield volcanoes that comprise the Island of Hawai‘i. To the north are the Kohala Mountains, the oldest volcanic feature on the island; to the southwest are the Hualālai Cone and Crater; and to the east is Mauna Kea. Coastal land bounds the WMA on the west. The majority of the WMA lies within the Waimea Plains. The plains were formed by Mauna Kea lava flows that ponded against the older Kohala Mountains and are now covered with volcanic ash-type soils. The interior plains at Pōhakuloa are covered with more recent lava flows from Mauna Loa that banked against Mauna Kea. The lava is predominantly basalt flows and scoria of the Hāmākua Volcanics. These rocks, like all Hawaiian basalts, are extremely iron rich. The composition of some basalt rocks exceeds 40% iron minerals. In areas where volcanic flows have not recently occurred, the terrain is eroded by seasonal rivers and streams. In other areas, the terrain is undissected and quite barren, revealing a large area of exposed lava. The specific depth to bedrock within the MRS is not known but is expected to vary from exposed lava at the surface to depths of several feet. The 1973 soil survey of the Island of Hawai‘i indicates that the depth to bedrock within the various soil classifications across the island varies from ground surface to depths of 8 ft below ground surface (USACE 2023a).

2.5.2.4 Soil

The northern portion of the MRS is comprised mostly of very fertile productive soils, developed from volcanic residues including ash, pumice, and cinder. They are light soils that have a low bulk density and can therefore have a large water-holding capacity with good drainage. The southern half of the MRS is a mixture of both fertile productive soils and shallow desert soils. Shallow desert soils tend to accumulate salts because there is not enough water to leach them through the profile.

2.5.2.5 Groundwater

Sector 15 is in the East and West Mauna Kea Sectors of the Island of Hawai‘i. This system comprises three separately defined aquifers that are all considered irreplaceable, fresh, drinking water sources (Mink and Lau 1993). Depth to groundwater is approximately 1,250 to 1,300 ft below ground surface. The west and northwestern portion of Sector 15 is in the Waimea Aquifer System, with unconfined, high level, dike aquifers. The eastern portion of Sector 15 is in the Honoka‘a Aquifer System, with unconfined, high-level aquifers. This system is comprised of both upper and lower aquifers with the upper aquifer being perched and identified as highly vulnerable to contamination while the lower aquifer is in dike compartments and only

moderately vulnerable. The remaining portions of Sector 15 are in the Waimea Aquifer System with a basal, confined aquifer in horizontally extensive lavas. The upper aquifer is identified as a perched, currently used, drinking water source highly vulnerable to contamination. The lower aquifer is dike compartments and identified as only moderately vulnerable to contamination (Mink and Lau 1993). Note: Dikes are thin, near-vertical sheets of low permeability rock that can impede the flow of groundwater, thereby creating localized aquifers often found in the rift zones and caldera of volcanoes. This aquifer has potential for drinking water use.

All of Sector 15 is located above (upgradient of) the underground injection control (UIC) line as shown on the UIC map of Hawai‘i published by HDOH. This typically indicates that the underlying aquifer is considered a drinking water source, limited types of injection wells are allowed, injection wells need a UIC Permit or Permit Exemption, and those UIC Permit limitations are more stringent than for those downgradient of the UIC line. However, the State of Hawai‘i Commission of Water Resources Management records indicate that there are no water wells within the Sector 15 boundaries (Commission of Water Resource Management 2021).

2.5.2.6 Surface Water Hydrology

There are no surface water bodies within Sector 15. Geographic information system data from the State of Hawai‘i depict small, non-perennial streams along the western boundary and in the southern half of the MRS. There are no perennial rivers that run through the project area, though the tiny streams may saturate and/or flood after large rain events.

2.5.2.7 Ecology

Over years of agricultural use, introduction of certain grasses, grazing animals, and fire have affected the soil, microclimate, and vegetation of Sector 15. The majority of the area is listed as Important Agricultural Land and Extensive Agricultural Land by the Hawai‘i County Department of Planning. Important Agricultural Lands are those lands with better potential for sustained high agricultural yields due to soil type, climate, topography, etc. Extensive Agricultural Lands are lands that are not capable of producing sustained, high agricultural yields without the intensive application of modern farming methods and technologies due to factors such as soil composition, slope, machine tillability, and climate. Other agricultural uses such as grazing and pasturing may be included in the Extensive Agricultural category. Sector 15 is currently leased for residential, agricultural, and pastoral purposes. Residential and agricultural lots dominate the northern portion of the sector, and the remainder of the sector is comprised of pastoral lots (USACE 2023a).

2.5.2.8 Cultural and Archaeological Resources

Cultural resource sites potentially located within the project site were determined by archaeological surveys prior to and during RI field activities. Archaeological sites identified during the archaeological reconnaissance surveys and monitoring work include possible burial markers, habitation features, agricultural enclosures, rock mounds/alignments, terraces, and ranch walls (USACE 2023a). No cultural debris as evidence of historic military use was identified by the archeologist during the reconnaissance.

2.5.2.9 Threatened and Endangered Species

Threatened and endangered species that may potentially be located within the project site were determined by conducting a biological survey prior to and during field activities. No current or proposed designated critical habitat for endangered animals is present at or near Sector 15. In general, the survey concluded that the potential presence of rare, threatened, or endangered plant species is low in over 90% of the survey area because of substrate, topography, elevation, and history of grazing. Aside from nēnē and the Blackburn’s sphinx moth, the potential presence of rare, threatened, or endangered animal species is low.

2.6 CURRENT AND POTENTIAL FUTURE SITE AND RESOURCE USES

2.6.1 Land Uses

The current land use within Sector 15 is residential, agricultural, and pastoral. Residential/agricultural lots dominate the northern portion of the sector, and the pastoral lots encompass the remainder of the MRS. Anticipated future land use is consistent with current land use and may include additional residential construction development.

2.6.2 Resource Use

The aquifer that runs beneath Sector 15 is usable for drinking water, however the State of Hawai‘i Commission of Water Resources Management records indicate that there are no water wells within the Sector 15 boundaries. There is no surface water present in Sector 15.

2.7 SUMMARY OF SITE RISKS

Risk assessments are MRS-specific evaluations, which consider current and future land use and activities and may vary in both detail and extent to which qualitative and quantitative inputs are used. In order for a risk to be present, there must be a source, exposure pathway, and receptor. If one of these factors is not present, then there is no potential for a complete exposure pathway, and there is no unacceptable risk.

2.7.1 Summary of Munitions and Explosives of Concern Risk

The RI concluded the area was not used for training with munitions with no source area identified or suspected. Because no source of MEC was identified, the exposure pathway is incomplete, and Sector 15 does not have a MEC hazard. Sector 15 is confirmed to be a no evidence of use area. Though USACE is confident that this site presents little or no risk due to munitions of explosive concern, if new information, including facts that would bring a significant change in risk due to MEC, is brought to USACE attention, the USACE will take all appropriate and legal actions required.

2.7.2 Summary of Munitions Constituents Risk

The RI concluded the area was not used for training with munitions with no source area identified or suspected. Because no source of MC was identified, the exposure pathway is incomplete, and Sector 15 does not have a MC hazard.

2.8 DOCUMENTATION OF SIGNIFICANT CHANGES FROM THE PREFERRED ALTERNATIVE IN THE PROPOSED PLAN

Written comments on the Proposed Plan were received during the public comment period of 24 July 2023 to 25 August 2023 and orally at the Public Meeting held on 12 August 2023. These comments and the responses are included in the Responsiveness Summary. Letters from stakeholders regarding acceptance of the remedy were received during the comment period. After careful consideration of all the comments, there are no significant changes from the proposed decision presented in the Proposed Plan (USACE 2023b).

3. RESPONSIVENESS SUMMARY

Formal comments received during the public meeting or during the comment period and the USACE responses are included in Section 3.1. The meeting transcript has been placed in the Administrative Record at the Thelma Parker Memorial Library, 67-1209 Māmalahoa Highway, Kamuela, Hawai‘i 96743-8429; telephone 808-887-6067.

3.1 STAKEHOLDER COMMENTS AND LEAD AGENCY RESPONSES

HDOH reviewed the Proposed Plan and had no comments, attended the public meeting, and, during the public meeting, concurred with the No Further Action decision. The following are comments and responses that were received for the Sector 15 Proposed Plan.

Written Comments:

1. 1 August 2023 email from Ms. Shirley Gambill-DeRego, Business Development Manager, Hawaiian Home Land Specialist V.I.P Mortgage, Inc. Comment: Will DHHL be in attendance at this meeting? I think it is important they be there to answer questions as to what this means going forward for beneficiaries. Currently, all new leases reference the UXO. I would like to hear from DHHL as to how they are going to handle this internally. I know HUD’s position...the No Further Action” letter will satisfy their requirements. Please advise if a representative from DHHL will be present to answer questions as well.

Response: Several representatives from DHHL were in attendance at the Public Meeting.

2. 24 August 2023 letter from Marion K. A. Kapuniai, a successor Lessee, Lot 145 in the Accelerated Pu‘ukapu Pastoral Hawaiian Homes Lands Subdivision. Comment: I look forward to speedy Department of Health action so that HUD can immediately release funding for lessee applicants, who have been waiting a long time.

Response: Comment acknowledged.

3. 24 August 2023 letter from Land Division of the Department of Land and Natural Resources (DLNR) Divisions (Office of Conservation & Coastal Lands and Land Division – Hawai‘i District). Both had no comments.

Response: Comment acknowledged.

4. 25 August 2023 letter from Land Division of the DLNR Divisions. The Engineering Division had no comments.

Response: Comment acknowledged.

5. 31 August 2023 letter from Land Division of the DLNR Divisions. Division of Forestry & Wildlife had comments regarding potential future use impacts on listed species in the vicinity of the site area.

Response: This comment came in after the public comment period closed. USACE is under no obligation to respond but has chosen to do so. The No Further Action will not result in any impact to the natural resources in the munitions response site of Sector 15 Pu‘ukapu as there will be no federal action.

Oral Comments:

1. Member of the audience. Comment: Before comments, are we going to have an opportunity to have Department of Health come up forward and tell us what the process will be to approve your plan?

Response: Mr. Sven Lindstrom with the Hawai‘i Department of Health stated: “We’re the state regulators, and we’ve been doing oversight on this project for many, many years. We have reviewed the Proposed Plan, and we have approved it at this point; so we have no additional comments on it. So, the anticipation is if any comments come in from the community, those will be reviewed. And unless those alter the Proposed Plan, then it’ll proceed to the decision document, which will present exactly what is presented in the Proposed Plan. We’ll approve that just like we’ve approved the Proposed Plan. And then, at that point, we’ll be able to close out the site on our end by issuing a no further action.”

2. Ms. Shirley DeRego, lessee living in Pu‘ukapu. Comment: So my comment is that I'm very happy to know that the report is completed and, in reviewing what you have presented, no ammunition was used in Pu‘ukapu. And that goes back to some of the stories I've heard from the ranchers who lived there who said from the very beginning, when this was brought to our attention, that it never came out to our area. So that makes me feel real good because we're planting trees, and that makes me feel real good that, you know, it's complete out there. And thank you very much for doing that. Thank you very much.

Response: Comment acknowledged.

3. Ms. Jojo Tanimoto, community member. Comment 1: When I came, one of the court suits against Hawaiian Homes was the aged Hawaiians wanted lands in Humu‘ula. So they had to go through the lands where there was no infrastructure. What bothers me is that we were up on the mountaintop with all the people that were suing Hawaiian Homes, and we were looking downhill. And the military, instead of following -- looked like a trail when you going up towards us, made their own road. So when he said the trails and tracks and whatever, we had asked them at that time why they did that. The military. (He) told us because they used that place for the military. They take all their bombs and whatever, and they wouldn't go on the road that we went with the horse. They went on their own road. Okay? So that explains to me the tracks and the trails and that kind of stuff because that's what they told us. Why didn't they go along the Mana Road alignment or close to it? Because the water has to feed the beneficiaries way up there? Okay.

Comment 2: And then the other thing that I have a question about is when I came that early, long time ago, the trail at the end is where they wanted to run a road to Honoka‘a, to Mud Lane, and go down to Waipi‘o. Again, the military avoided what they thought they cannot go. But if you are telling me that it's close to the area at the tip -- at the bottom of the picture and you didn't find anything, okay, that means there might be bomb sites on the Parker Ranch side. So that in case there is a bypass road that goes towards Lakeland, that they might find it on the Parker Ranch portion. And that's why I was kind of looking for where this was according to that. But it looks like it was in the alignment going towards Waipi‘o Valley side. So I'm wondering if the community is fine with what's going on, then, you know; I really don't mind, but it's just not settling my mind

why the military at that time -- because I also took this hula -- I mean, this ‘ukulele class at the Tūtū House, and the lady that was teaching this class, this Hawaiian lady, she confirmed what our question was. And so I just want to ask you folks if you guys checked that? Thank you.

Response. Mr. Dave Griffin WMA Program Manager USACE Honolulu District: The road referenced in the active army -- not 1943 to 1945 -- the active army had the tank road that they used to get up to PTA, that's different than Sector 15, which is FUDS. For Pu‘ukapu in the 1940s, no evidence of military munitions uses was found. There have been munitions found in the past along the upper road to Kona. These are different areas than Pu‘ukapu. One-hundred percent non-time-critical removal work was conducted along the Pu‘ukapu boundary in the area by Waimea airport. And no munitions evidence along there was found. The military may have used roads as this was a maneuver area but not for munitions purposes.

4. Ms. Jojo Tanimoto. Follow-up comment: And so from the generation before me, before there was any infrastructure, before all those lots were awarded, that's when I'm talking about. So the military was using that area according to the generation before me. Like Uncle Sonny Kaniho, he worked for Parker Ranch. So he's familiar with Parker Ranch, whatever they said, where they went, and all this kind of stuff. So those trails, the military was using the lot. So even though you guys say that the trails was for the water tank, we understand today that those lots have water, but I'm talking about before that. Okay? And so they had the cowboys and the people were that wanted leases in Humu‘ula use that area to go over the mountain to Humu‘ula. Okay? So I'm talking about that time period, and you're trying to tell me about this time period. So my curiosity all these years was according to -- like Ethel Andrade. You know, they had ranches and what not. They saw all of that. So I was lucky that they told me. So I want to put that in your record that the military was using the lot up there. But if everybody is happy with this report, then they must have fixed it someplace in between, but that was my concern. Thank you.

Response. Mr. Ben Konshak Geophysicist USACE Honolulu District: The military did lease this area, and they did have it marked as a maneuver area. So it's very specific to evidence of munitions use is what our proposed plan has determined. So thank you for that comment and that history.

Additional response from Mr. Sven Lindstrom, DOH regulator: I was just going to ask for a similar clarification because the -- and I believe there was an -- actually an old Mana Road that was a little bit more to the south of the Mana Road that's there now. And exactly as Ben said, what we're trying to -- what we believe has been presented adequately in the report is that no munitions use occurred in the area of Pu‘ukapu. We know munitions use occurred to the west of Pu‘ukapu in a lot of the area that was owned by Parker Ranch, even in what's called Area F, which is a little down to the south. There was some munitions use even though that area was not supposed to be used for munitions use. But the evidence that they have presented, which is multiple lines of evidence, support that this area was used for grazing and was not used for munitions. That doesn't mean that the military didn't use the roads to go through there. It just means that they didn't use munitions there. So if you have concerns that they may have used munitions within Pu‘ukapu, then that's exactly the kind of thing that we want to get on the record so we can make sure that we've typed those up. Thank you.

5. Mr. James Hustace. Comment 1: What was the depth of the anomalous munitions find?

Response: 8 inches.

Comment 2: About the historical photographic analysis. You said -- Jojo, you were talking about the analysis now, where the roads are now, but they were looking at historical photographs and aerial imagery. So my question is really, first, where can we see that report? Where can we access and find that and really review it ourselves and just kind of understand the geospatial techniques and steps that were used to analyze through those years?

And part of that is what were the years that were analyzed? You said about 1940 was the first aerial photograph, '46?

Response. Mr. Ben Konshak: So to clarify on the historical photo analysis and without having the report right in front of me, I can tell you for sure that they looked at the 1954 photos because in 1954, U.S. Geological Survey has a set of aerial photos that cover almost the whole island. And those are available publicly on the University of Hawai‘i's website. So there are resources within -- you know, ties over to data that's publicly available within the State of Hawai‘i. There were some other photographs from the 1940s. Some of these came out of photos that veterans had contributed. There was a historical society here as well. That report was a part of the preliminary assessment, which is in our information repository.

HDOH confirmed that Historical Photo Analysis report was loaded to the iHEER site. HEER Office has a database of all of the site HDOH has oversight. The HEER office has oversight of remedial cleanup sites across the whole state, not just the military sites. And all of the documents in our database are available online. HDOH has a website that's called iHEER, i-H-E-E-R. If you Google "iHEER," you will get there.

Under Waikoloa Maneuver Area Sector 15 are all of the documents. Historical photograph analysis was uploaded as a separate document in there so you can get the document directly from iHEER.

6. Follow up comment from Mr. James Hustace. My suggestion is, because it's cited as one of the references here in the report, that it also be made -- connected on the Army Corps site as well as part of the Sector 15 so it's in multiple locations, could be easily found.

Final Question for Sven from HDOH: Where can you find the documentation for acceptance of the report in its current state? And then going forward, where can that be publicly found?

Response: Those would all be in iHEER in the Sector 15 database. So for the remedial investigation, we wrote a comment letter stating that we essentially approved the document. We have no additional comments, and that they can go ahead and finalize that document. And we did the same thing for the Proposed Plan. And then moving forward, assuming that there's no issues with the Record of Decision, we'll have a comment letter for that. And then following that, we can issue, separately, a no further action letter. And all of those will be in that repository.

7. Follow up comment from Ms. Patty Cook: I just want to make a quick comment. I'm not a homesteader, and there's nobody in this community that would want this homestead

community, and anybody harmed, but it's taken a really long time to get to this place. And I think we need to move forward as quickly as we can and especially with the findings that you have that there was no active work in this area. Please get this done. And I would apply the same thing to the property at Lālāmilo. Thank you

Response. Comment acknowledged.

8. Mr. James Hustace. Comment: Follow-up on Patty's question there, what is the schedule in terms of receiving these comments? And then your expectation of it's done, that we can move forward?

Response: Comment period runs through August 25th, 2023. We'll gather all those comments. We'll compile them of what we receive here as well as any comment that comes in written up through the 25th. We have a commitment internally at USACE, and we briefed it at the last RAB to have this lot done by the end of this year.

9. Audience Member. Comment: 1990, 1991, there were no roads. The roads were not there. We were driving through the pasture to go look for our livestock. And even after – so – and one old-timer – so it was before we got that was available, Parker Ranch was using it. And old-timer kupuna Teddy Bell said that they were – what they did was that upper section, they plowed the upper section so our Japanese friends would not have any place to load – land their aircraft. So they plowed all that stuff. There's plenty rock, but they – that's the part of history I need to share.

Response: Comment acknowledged.

10. Mr. James Kong. Comment: If they ever decide to build the Waimea bypass road, would it go into this area at all or would it go outside the boundaries?

Response: Mr. Griffin stated that he could not speak to that. USACE has no knowledge of plans for this road.

11. Mr. James Kong. Comment: Are those all Hawaiian homestead lots in that Section 15?

Response: Yes. And just to clarify, future land use is part of the remedial investigation. And we look at future land use that can be reasonably anticipated. Future land would fall in line with the type of use that we have now, which is agriculture, residential areas such as Kūhiō Villages. As you all know, we have Kanu o ka 'Āina High School, so a roadway would not be too much different from the anticipated future land use that we analyzed in our remedial investigation.

12. Audience member. Comment: Once everything's done, how do we get our hand on the no further action letter? Where is that going to be available? Is that going to be public or is it going to be available as per it's needed for business?

Response. Mr. Sven Lindstrom, HDOH: In general, the way that no further action letters are issued is the property owner will request it, and then we would address the no further action letter to the property owner. For fee simple properties, HDOH will issue a no further action for all parcels that are included in Sector 15. It will be available on the HDOH website, and HDOH could also provide that directly to the property owners.

13. Ms. Patty Cook. Comment: And I actually think the Department of Health should issue a public statement when this is done. Something that's been taking this long deserves at least a public announcement so that the public knows.

Response: Per the requirements, a notice will be published in the newspaper once the ROD has been signed, stating it is available for public viewing either on the USACE website or at the Thelma Parker Library.

14. Ms. Jojo Tanimoto. Comment on Page 36 of the transcript, lines 14 to 16 "Why didn't they go along the Mana Road alignment or close to it? Because the water has to feed the beneficiaries way up there?"

Response: "The Remedial Investigation was conducted with a systemic approach for Sector 15 over the entire area. No one place was looked at more than another. Furthermore, maintenance and rebuild/repairs of the roadways have been periodically conducted over the last 70 plus years and there are no incidents reports of any MEC at any time being found for the roadways in Sector 15."

15. Ms. Jojo Tanimoto. Comment on Page 52 of the transcript, lines 20 to 24 "So my thing is the water. How do you get the water from here out to Honokāia? How do you get the road from here to bypass all the traffic going out to Hāmākua?"

Response: "USACE does not execute future residential construction that involve roads and water. The USACE risk assessment of Sector 15 for encountering munitions or explosives of concern or munitions constituents determination is a no evidence of use area. This conclusion accounts for the present and future land use that includes residential construction."

16. Ms. Patty Cook. Page 56 of the transcript, lines 9 to 13 "I actually think the Department of Health should issue a public statement when this is done."

Response: "HDOH will make their own decision on any public statements related to Sector 15."

3.2 TECHNICAL AND LEGAL ISSUES

No technical or legal issues have been identified for the Sector 15 MRS.

4. REFERENCES

- Army Geospatial Center. 2021. *Historical Photographic Analysis (HPA) for the Waikoloa Maneuver Area*. 5 April.
- Commission of Water Resource Management. 2021. *Hawai‘i State Water Wells*.
- Mink, J.F. and L.S. Lau. 1993. *Aquifer Identification and Classification for the Island of Hawai‘i: Groundwater Protection Strategy for Hawai‘i*. Water Resources Research Center, University of Hawai‘i at Manoa. Technical Report No. 1. May.
- U.S. Army Corps of Engineers (USACE). 2006. *Phase III Engineering Evaluation/Cost Analysis Report, Former Waikoloa Maneuver Area*. U.S. Army Corps of Engineers. November.
- USACE. 2009. *Site Specific Final Report Munitions and Explosives of Concern (MEC) Removal Action and Supporting Functions Former Waikoloa Maneuver Area Former Waikoloa Maneuver Area Waimea, Big Island, Hawai‘i*. Contract #. W9128A-08-0012. Task order 4 and 5a. 31 October.
- USACE. 2010. *Site Specific Final Report Munitions and Explosives of Concern (MEC) Removal Action and Supporting Functions Former Waikoloa Maneuver Area Former Waikoloa Maneuver Area Waimea, Big Island, Hawai‘i*. Contract #. W9128A-09-D-0002/TO #0001. 31 May.
- USACE. 2018. *Draft Final Remedial Investigation Report for Former Waikoloa Maneuver Area, Projects 1 and 23 Waikoloa, Island of Hawai‘i, Hawai‘i*. Prepared by Parsons for the U.S. Army Corps of Engineers. October.
- USACE. 2022. *Defense Environmental Restoration Program for Formerly Used Defense Sites Preliminary Assessment Waikoloa Maneuver Area, Waikoloa, HI*. Final. August.
- USACE. 2023a. *Final Remedial Investigation Report for Former Waikoloa Maneuver Area, Project 19- Sector 15, Island of Hawai‘i, Hawai‘i*. Prepared by EA-Wood JV for the U.S. Army Corps of Engineers. 13 April.
- USACE. 2023b. *Final Proposed Plan for Former Waikoloa Maneuver Area, Project 19-Sector 15, Island of Hawai‘i, Hawai‘i*. Prepared by EA-Wood JV for the U.S. Army Corps of Engineers. 20 July.

FIGURES

Figure 2-1: Project 19 - Sector 15 MRS Location Map

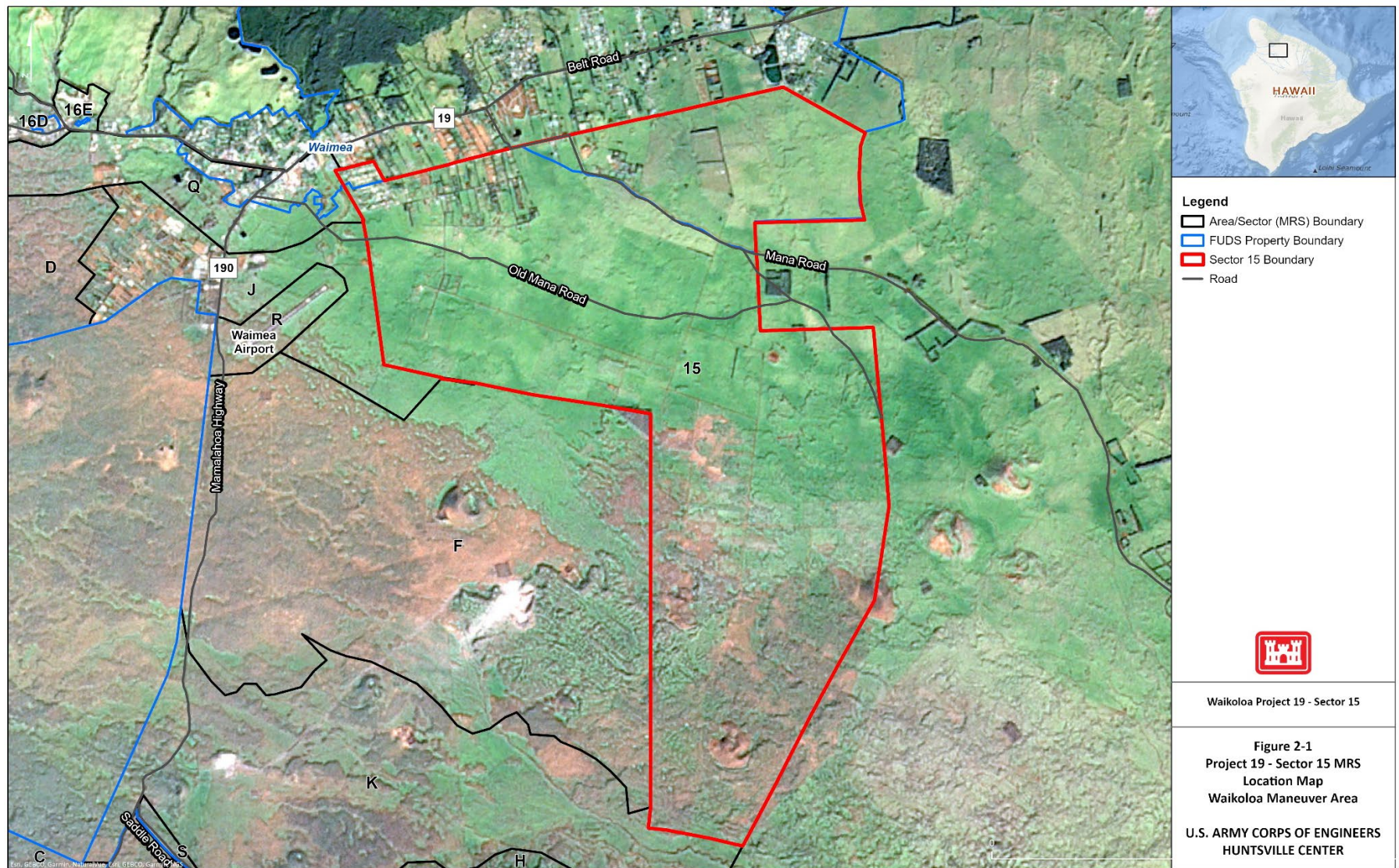


Figure 2-2: Project 19 - Sector 15 MRS, 5th Marine Division Land Use Circa 1945

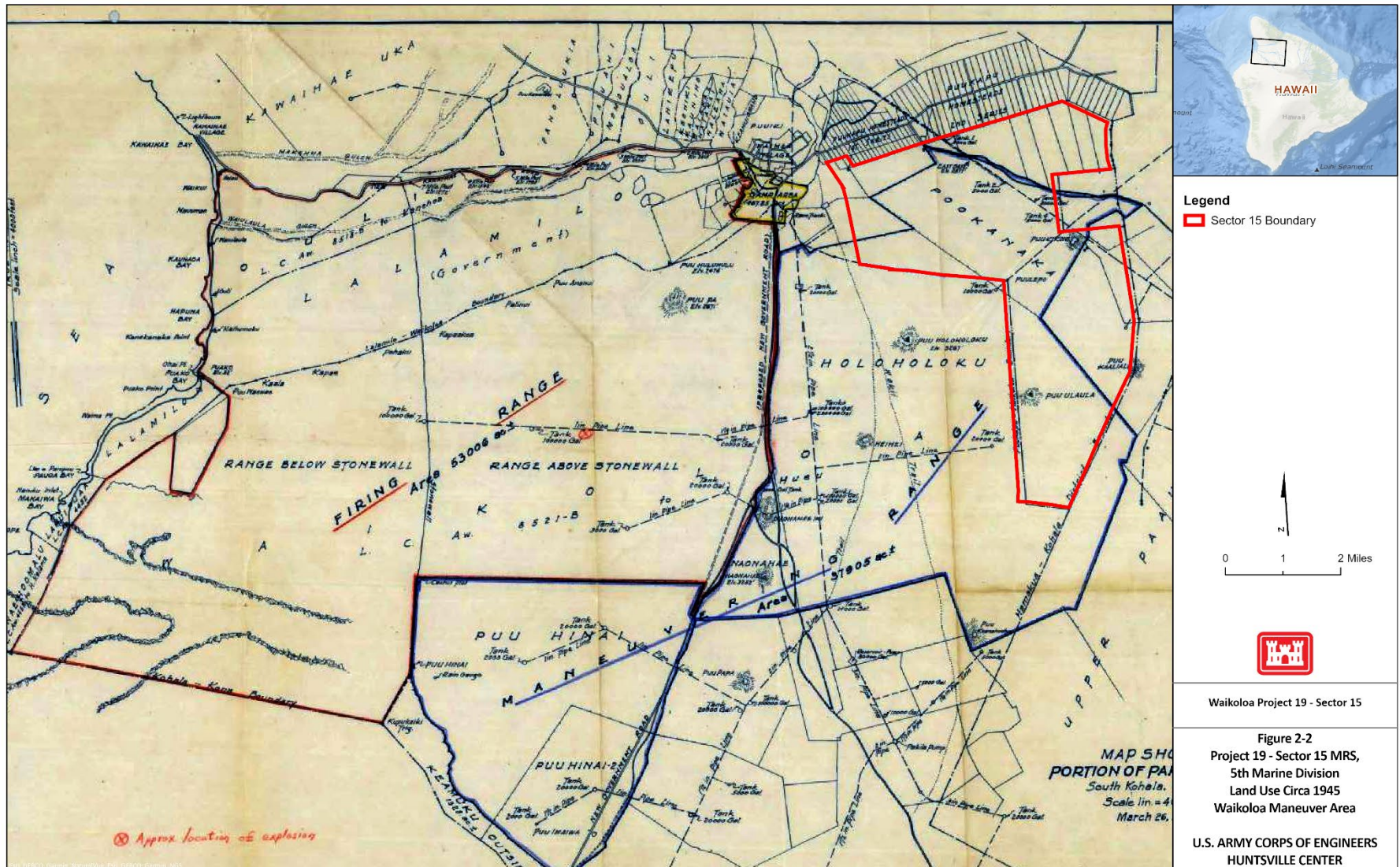


Figure 2-3: MEC and MD Items Recovered from MRSs Adjacent to Project 19 - Sector 15 MRS

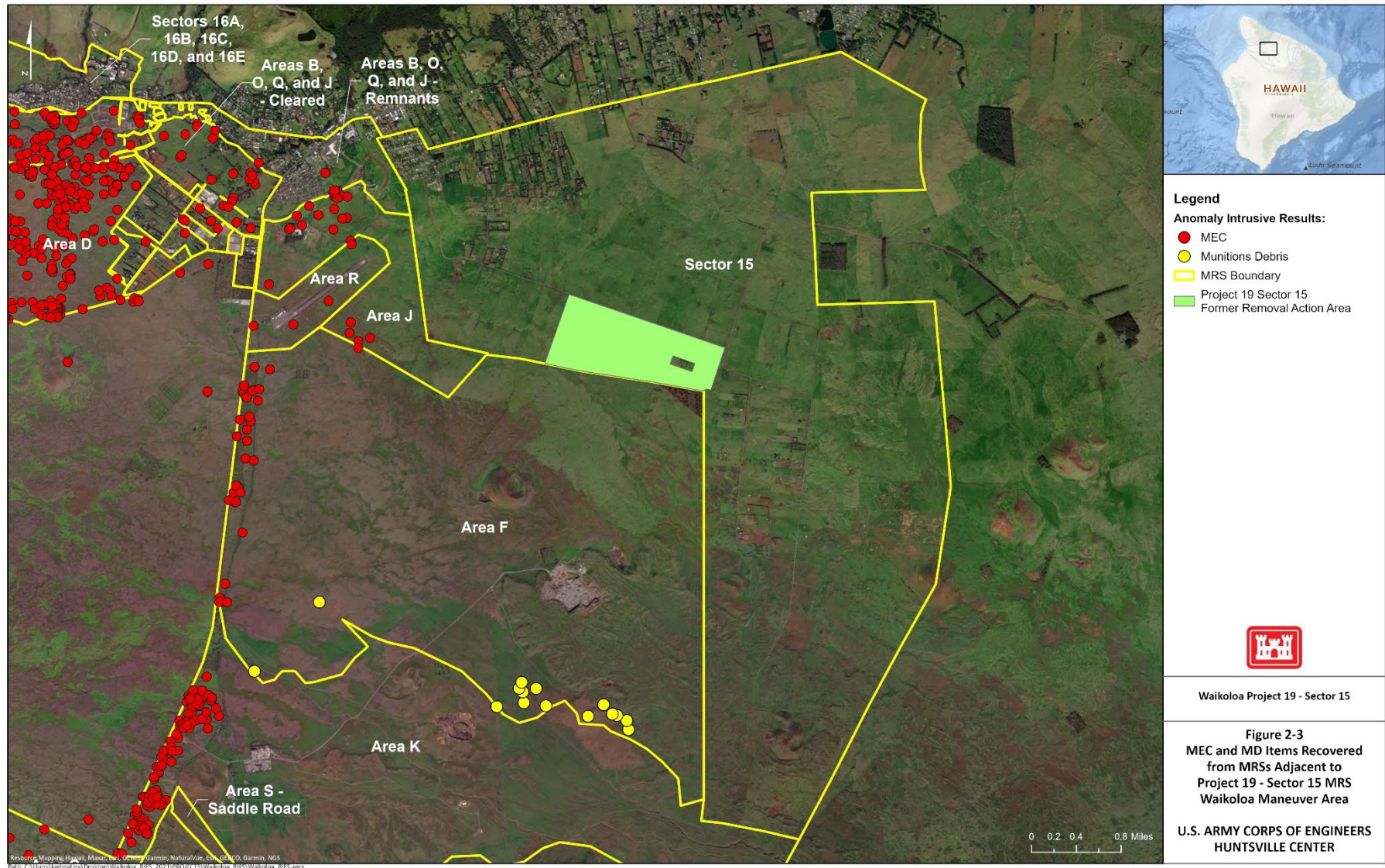


Figure 2-4: RI Intrusive Investigation Results for Project 19 - Sector 15 MRS

