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Hawaii-Southern California
Training and Testing Activities
Draft Environmental Impact Statement/
Overseas Environmental Impact Statement

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RESPONSE OF OPPOSITION

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- a) Laws of the Territorial Seas
- b) 1906 Hague Convention on Military *Occupations*

III. The exclusion of the Hawaiian People, their Religion, Cultural Practices from the EIS.

IV. Lack of studies and information on short and long term effects

I. OPENING STATEMENT:

I am Hanalei Fergerstrom, the appointed spokesperson for Na Kupuna

Moku O Keawe. Na Kupuna Moku O Keawe is a gathering of Traditional Elders from the six major districts of the island of Hawaii.

We have tried to stay abreast of the actions of the military buildup in the Hawaiian Islands. We are on your mailing list and have been for the past ten years. We have been slighted by the Military's constant refusal to keep us properly and timely informed of it proposed actions. This type of behavior is unacceptable. Even when we caught wind of this proposed action and attended the public meeting, completely uninformed and unprepared, we were met with a shameful display of disregard for the public's concerns. Given three minutes to respond to a 4,000 page technical document is absolutely absurd and further demonstrates the complete disconnect between the Military and the public.

The following is the foundation of our organization.

NA KUPUNA MOKU O KEAWE

KE AKUA IS THE SPRITUAL FOUNDATION OF THE HAWAIIAN KINGDOM

WE GATHER THIS DAY SEPTEMBER 24, 2011 IN THE DISTRICT OF HILO TO REAFFIRM OUR ORGANIZATIONAL FOUNDATION AS PUBLISHED IN THE HAWAII ISLAND JOURNAL AUGUST 16-31, 2003.

“We gather this day May 3, 2003 in Hilo to recognize and affirm our traditional and customary role as Kupuna representing the seven districts of Moku o Keawe (Island of Hawaii).

WE gather to protect , promote and preserve the rights of dominion, inherently vested in the Kanaka Maoli People over all matters concerning Laws, Land, Water, Air, Occupancy through out the Hawaiian Archipelago. We the following step forward as district representatives of comprising Moku O Keawe, in our Traditional roles of Na Kupuna.

Further we pledge our allegiance to the Lawful Hawaiian Kingdom, to our beloved, Queen Lydia Kamakaeha Liliuokalani and to our founding fathers Kamehameha I and Kamehameha III.

It is our purpose to join in concert to recognize one another as traditional Kupuna representing the districts of Moku O Keawe for the mutual protection against the onslaught of oppression, destruction, deceit of the foreign military occupying forces and civilian governments of the United States, and the State of Hawaii and it agencies and representatives.

It is further stated that the Hawaiian People that we as subjects to the Hawaiian Kingdom cannot accept posthumously an apology to our Queen. Therefore we must take the responsibility to continue her legacy and hereby notice all government entities foreign or domestic, including OHA, DHHL or any group may not represent the Hawaiian People without notice and expressed permission on every matter.

We gather this day May 31, 2003 in the district of Puna to address the following: To State, give Notice and register our opposition on the use of Proxy voting by any government agency , State or Federal as well as any club or organization , civil, social, or private on any matter concerning the development of a governing body for the Hawaiian People.

Black Law Dictionary : PROXY- “one who is authorized to act as a substitute for another; A person who is authorized to vote another’s stock (or interest).

We forbid (KAPU) any organization from using the names on the

membership roster, registration list, or any other form of registration without the consent of each individual

The following Kupuna are Po'o of the districts with others conferring.

District of Hilo: Kupuna Po'o Abby Napeahi , other Kupuna: Elenor Ahuna, Maile Akimsue

District of Puna: Kupuna Po'o Robert Kelihoomaluu, other Kupuna: Deborah Pasqual,Leilani Chow.

District of Ka'u: Kupuna Po'o Jesse Ke, other Kupuna Able Lui

District of Kona: Kupuna Po'o Arther Mahi, other Kupuna Kanak Napeahi, Henry Kekai, Vanessa Gomes, Kealoha Kaeo, Stanley Huihui, Alvin Akina, Junior Kanuha.

District of Kohala: Kupuna Po'o Sonny Paalua, other Kupuna Kim Smith, William Akau.

District of Hamakua:Kupuna Po'o Walter Victor, other Kupuna Abrahm Kamakawiwoole, Reynolds Kamakawiwoole, Evert Franco,Mary Reyes"

II. Violations of International Laws

a) Until 1893 the Hawaiian Kingdom was internationally recognized as an Independent Sovereign Nation State with diplomats in 26 foreign countries;

Illegal overthrow of the Hawaiian Kingdom in 1893 supported by the United States of America;

1993 United States Public Law 103-150 clearly states that the Hawaiian people never directly relinquished their inherent Sovereignty or their National Lands.

The area identified as the Hawaii Range complex is entirely within the territorial waters of the Hawaiian Kingdom.

b) Laws of the Territorial Seas:

International Laws/ United Nations has laws regarding the Laws of Territorial Seas that clearly defines the territorial borders of nations. This includes the archipelago of the Hawaiian Islands which is the exclusive territory of the Hawaiian Kingdom.

The United State is attempting to illegally identify the Hawaiian Archipelago as part of the United States which it is clearly not, and is attempting to utilize territories that do not belong to them and is in fact the Hawaiian Kingdom. This attempt violates the treaties of the territorial seas.

b) 1906 Hague Convention of military occupied countries has key features.

- 1) The Occupier cannot claim ownership of the county occupied.
- 2) The Occupier cannot set up a judicial system that allows them to claim ownership.
- 3) The Occupier cannot set up a tribunal in which the people of the occupied country can be tried under the Occupiers Laws.

All of these conventions are violated in the case of the Belligerent Occupied Nation of the Hawaiian Kingdom.

III. Exclusion of the Hawaiian People, their Culture, and their Religion.

Nowhere in this Environmental Impact Statement is the inclusion of the Hawaiian People, as if the People of Hawaii was not part of the environment that is impacted. The entire archipelago of the Hawaiian Islands, including all of its natural resources, the coral, the fish, the marine vegetation and all of its counterparts on land are all part of the religious chant of creation (KUMULIPO) of the Hawaiian People.

This exclusion of the relationship between the Hawaiian People and its environment further illustrates the belligerent posture of the U.S. Military Occupation of the Hawaiian Kingdom.

The Hawaiian Kingdom was the first nation ever to declare itself a “Neutral” nation. Therefore all of the actions purposed under this EIS violates the Neutrality of the Hawaiian Kingdom.

IV. Lack of Studies and information of short and long term effects.

This EIS fails to address the long term effects of explosives, toxic chemicals on the growth and basic health of coral polyps. The coral polyps are the birth of all marine life and is the basis of the Hawaiian Chant of Creation (KUMULIPO). There is great concern of this *Eminent Harm* posed by the proposed actions of the U.S. Military in the National Marine Sanctuary

know as “Papa Hanau Moku”. Papa Hanau Moku translates to the Foundation of life and the birth of the Hawaiian Islands.

Okunui Kamehameha