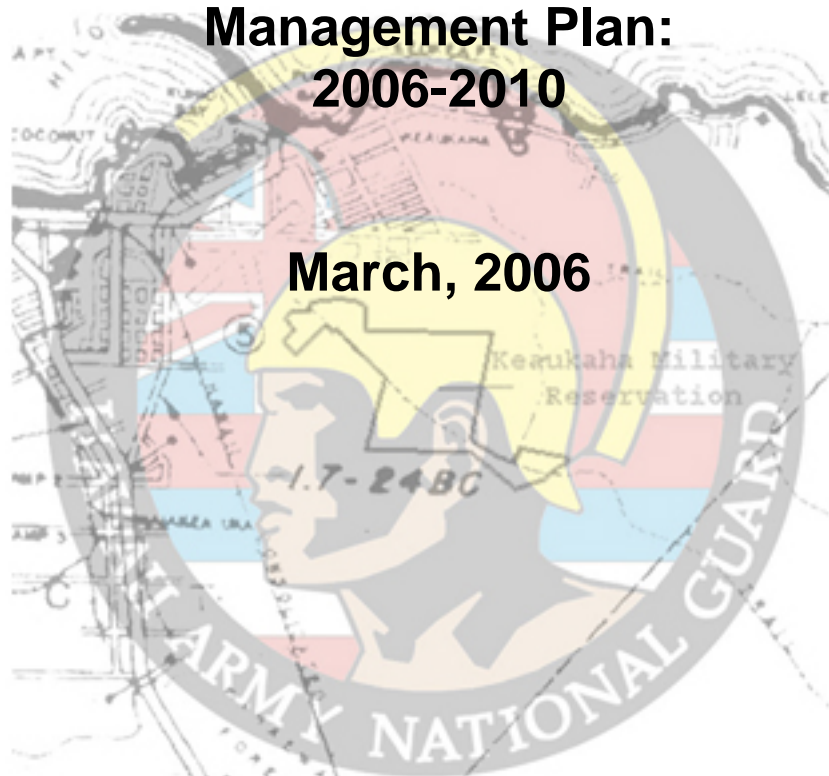




DRAFT

**The Hawaii Army National Guard
Integrated Cultural Resources
Management Plan:
2006-2010**



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Submitted by:

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**The National Guard Bureau and the
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Appendices

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Appendix B.....	Sample Documents

EXECUTIVE SUMMARY

This Integrated Cultural Resources Management Plan (ICRMP) is a five-year plan that presents management protocols and formalizes standard operating procedures (SOPs) for the fiscal years 2006-2010 (FY06 through FY10), and is required by Army Regulation 200-4 (AR 200-4) *Cultural Resources* and Department of Defense Instruction 4751.3 (DoDI 4751.3). These protocols and SOPs support the training mission by assuring compliance with State and Federal cultural resources and historic sites regulations for properties under the control of the Hawaii Army National Guard (HIARNG). These resources include archaeological sites, Native Hawaiian Traditional Cultural Properties (TCPs) and sacred sites, objects of cultural and historical significance, and structures of historical and architectural significance. This ICRMP offers facility specific protocols to identify, evaluate, preserve, maintain, and protect the HIARNG's cultural resources and historic properties. It identifies research and data collection needs, and offers strategies based on these needs. It provides methods for tracking and monitoring the conditions of the installation's resources over a five-year period. The ICRMP assures compliance by establishing a framework for consultation between the HIARNG, the National Guard Bureau (NGB), the Native Hawaiian community, the Office of Hawaiian Affairs (OHA), the State Historic Preservation Officer (SHPO), the Advisory Council on Historic Preservation (ACHP), other branches of the Department of Defense (DoD), and the public. The ICRMP integrates cultural resources management with current mission activities. The ICRMP is the commander's decision document for cultural resources compliance and management and identifies potential conflicts between the installation's mission and protection of its resources, and documents how those conflicts may be resolved to maintain the use of land for mission purposes.

The ICRMP includes an Executive Summary, a literature review of the historic background information about each facility, a review of authorizing regulations, assessment of each facility, and identification of the classes of personnel and the personnel within the classes responsible for coordination of protocols and SOPs at each facility. The National Environmental Policy Act (NEPA) requires the solicitation of public participation during the development of the ICRMP and the accompanying Environmental Assessment (EA). Participants included Native Hawaiian organizations (NHOs) and individuals and the State Historic Preservation Officer.

CHAPTER 1 INTRODUCTION

1.1 PURPOSE

According to Army Regulation (AR) 200-4 (2.2) and DoDI 4751.3, the Integrated Cultural Resources Management Plan (ICRMP) is the primary tool for managing the historic and cultural resources present on Army properties. This five-year planning document assists the HIARNG in meeting training mission requirements while addressing management practices and compliance requirements. It is a five-year plan that allows for efficient identification and mitigation of potential impacts on cultural resources that could conflict with HIARNG's training mission, and it establishes processes for the identification, preservation, restoration, use and management of all cultural resources located upon HIARNG properties. As part of the overall assessment of facilities within the HIARNG, the Geographical Information System (GIS) provides overlays of various data to identify the spatial interrelationships and land use patterns among the various resource types present on each facility. The GIS data is used to identify patterns of land use including analysis of land forms, geological structures, and natural resources as they relate to cultural resources. The interrelationship between prehistoric and historic human settlement patterns and land use by the military is also identified by GIS data. In the case of the built environment, GIS is used to detail property boundaries with associated architectural features. The ICRMP provides an overall framework for management activities and for project-specific compliance actions.

The HIARNG trains and operates on 17 facilities and training areas, for a total of 1,293 acres, on five islands. Installation sizes range from 0.6 acres to 509 acres, with local training area (LTA) sites ranging 68 to 506 acres. Most HIARNG facilities have man made improvements, although a few do not. Because of this diversity of properties, good stewardship of cultural resources requires strategies customized to each facility. A holistic strategy, adapted to local needs, includes consideration of an ecological and cultural landscape approach. In other words, cultural resources do not exist in isolation, but are part of a "bigger picture" that includes their ecological settings and their relationships to other cultural resources within the same historic context. Upon completion, review, and concurrence by Federal and State compliance organizations, and the National Guard Bureau (NGB), AR 200-4 and DoDI 4751.3 requires that the ICRMP go through the NEPA process as an EA, in order to analyze the environmental impacts.

1.2 AUTHORITY

AR 200-1 specifies Army policy for cultural resources management, and the ICRMP is developed pursuant to AR 200-4 and DoDI 4751.3. It implements the provisions of the National Environmental Policy Act of 1969 (NEPA), Section 106 of the National Historic Preservation Act of 1966 as amended (16 U.S.C. 470f) (NHPA), the Historic Sites Act of 1935, the Antiquities Act of 1906, the American Indian Religious Freedom Act of 1978 (AIRFA), the Archaeological Resources Protection Act (ARPA), the Native American/Native Hawaiian Graves Protection and Repatriation Act (NAGPRA), Executive Order (EO) 13007, EO 13175, 36 CFR Part 79, and Chapter 6E, Hawai'i Revised Statutes.

1.3 APPLICABILITY UNDER AR 200-4

Implementation of DoD directives through Army regulation 200-4 requires the installation to preserve historic properties, and provides guidelines for the development and implementation of an ICRMP. Army regulation 200-4 “*Cultural Resources Management*” is a revision of AR 420-40, “*Historic Preservation*” in effect since 1984. The regulation applies to the Army, the Army National Guard, the U.S. Army Reserve, and all installations under the control of the Department of the Army. In accordance with AR 200-4 (3.1) and DoDI 4751.3, development of an integrated cultural resources management program is in response to the specific regulation compliance requirements affecting the HIARNG mission.

1.3.1 Objective under AR 200-4

The objective of the ICRMP is to integrate historic preservation with military training and construction, real property transfers, and other land use. According to the Secretary of the Interior’s “*Standards for Preservation Planning*” (Federal Register, Vol. 48, No. 190/Thursday, September 29, 1983), establishing a historic context for the built environment and developing and prioritizing maintenance, restoration, and preservation goals must use these standards for the identification, evaluation, and treatment of historic properties. These standards include the historic context and organizes information based on cultural resources, and should not be confused with “historic landscapes” as used in the architectural sense. The NHPA defines historic landscapes, and the NRHP addresses these landscapes via the criteria for eligibility for the Register and as elements of the larger, installation-wide cultural landscape.

1.3.2 Locating the requirements of AR 200-4, 4-2a in the ICRMP

Table 9. Projects Planned for 2006-2010

Below is a table showing where the reader can find the required information from Army Regulation 200-4, section 4-2, subsection (a) in the contents of this ICRMP:

Required Element	Location in ICRMP
1. Legal requirements/compliance	Chp. 5, beginning on pg. 29.
2. Future projects requiring legal compliance actions	Chp. 7.2 , Table 9, pg. 54.
3. Cultural Landscape Approach (CLA)	Chp. 2.2, pg. 8.
4. Planning Level Survey (PLS)-4 components: Existing Cult. Resources; historic contexts; sensitivity analysis; and NHOs.	Chp. 8, under each facility.
5. Actual Field Inventory	Chp. 8, under each facility.
6. Standard Operating Procedures (SOPs)	Chp.6.4, beginning on pg. 43.
7. Curation of collections and records	Chp. 5.4, pg. 30.
8. Limiting cultural resource locational information	Chp. 5.7.4, pg. 37.
9. Economic and Alternative Uses for Historic Properties	Chp. 4.6, pg. 26.
10. Native Hawaiian access to sacred sites	Chp. 5.7.3, pg. 37.
11. Standard treatment measures for cultural resources	Chp. 8, under each facility.
12. Estimate of resources required to execute the plan	Chp. 7.2 , pg. 54.

Table 1. Location of AR 200-4 Required 12 Elements

1.4 ORGANIZATION OF THE ICRMP

1.4.1 Development of the ICRMP

The Integrated Cultural Resources Management Plan for all properties under the Hawaii Army National Guard is developed in accordance with Army Regulations 200-4 and DoDI 4751.3, and includes but is not limited to:

- *Identification of all applicable legal requirements and procedures for integrating compliance between the various independent cultural resources legal requirements.*
- *Identification of specific actions, projects, and undertakings projected over a five-year period.*
- *Development and implementation of a landscape approach, to installation cultural resources management*
- *A planning level survey that includes existing information on cultural resources, development of or reference to existing historic contexts, an archaeological sensitivity assessment or archaeological predictive model and a listing of any Federally-recognized Native Hawaiian organizations associated with the installation.*
- *A plan for the actual field inventory and evaluation of cultural resources that is prioritized according to the inventory evaluation requirements associated with specific installations compliance requirements such as the NHPA Section 106 undertakings that could affect cultural resources.*
- *Internal procedures for consultation, survey, inventory, evaluation, treatment, recordation, monitoring, emergency, or inadvertent discovery, reporting, etc. tailored for the particular conditions and specific requirements at the installation. Interface requirements between the cultural resources management program and other program areas should be identified.*
- *Provisions for the curation of collections and records that are associated with the NHPA undertakings, and procedures to reduce materials permanently curated by the installation.*
- *Provisions to limit the availability of cultural resources locational information for protecting resources from damage.*
- *Conduct an economic analysis and alternative use analysis on historic properties that are being considered for demolition and replacement.*

- *Procedures to ensure Native Hawaiians organizations are provided access to sacred sites and are consulted when future access may be restricted or when adverse effects to the physical integrity of the sacred site may occur.*
- *Development of standard treatment measures for cultural resources.*
- *Provide an estimate of resources required to execute the plan.*

1.4.2 Research Conducted and Background of ICRMP

- **Review of existing documentation:** Existing documentation for cultural resources and historic properties was used in the development of the ICRMP. The installation historic overview consists of prehistoric and historic (pre-installation and post-installation) contexts explaining the development of HIARNG facilities in the Hawaiian Islands, including Cold War Era significant contexts.
- **Historic overview and synthesis:** Existing documentation was reviewed to prepare an historic and contextual overview for each facility within the installation. The reviews includes a summary of all existing real property, histories, maps, planning documents, GIS data, contractor reports, photographs, and drawings. Historic documents housed at HIARNG headquarters, the Bishop Museum, the State Historic Preservation Division Library, the State Archives, and other branches of the DoD provide the data for this section.
- **Property and inventory surveys:** A schedule for the completion of all property and inventory surveys for relevant facilities for future inclusion in the ICRMP is included. The goal is a completed and updated real property assessment, inventory level surveys and historic evaluations (including NHR eligibility), and a proposed Mitigation Plan for the Abandonment of Ft. Ruger. This schedule is prioritized based on funding availability, training mission, personnel availability, and sensitivity of resources. *A facility by facility plan that addresses each facility's existing cultural resources, references the existing historic contexts, and provides an archaeological sensitivity assessment is provided in addition to a planning level survey. This plan can more easily be updated as resources are affected or conditions change at each facility.*
- **Development of projects:** A list of projects that require cultural resource management, such as consultations, surveys, inventories, evaluations, treatments, recordation, reporting, and monitoring of cultural and historic resources, is included in Chapters 8.2 and 8.3.

Projects scheduled for FY06 are listed below, and also discussed in the five-year goals for each facility in Chapter 8:

1. **Inventory Level Survey of Three Sinkholes:** Kalaeloa , O‘ahu
 2. **Inventory Level Survey (remainder):** Keaukaha Military Reservation, Hawai‘i
 3. **Historic Building Survey:** Kalaeloa, O‘ahu
 4. **Signage and Restoration Planting:** Battery Harlow at Ft. Ruger, O‘ahu; Revetments at Bellows AFB-RTI, O‘ahu
 5. **Monitoring and ARPA (Archaeological Resources Protection Act)**
Signage: Battery Harlow at Ft. Ruger, O‘ahu; Sinkholes at Kalaeloa, O‘ahu; Historic Cemetery behind Kea‘au Armory, Hawai‘i
- **GIS Data:** Geographic Information System (GIS) data was used to develop the maps for this ICRMP. This data has identified spatial relationships between resources and land use patterns, including the types of recorded cultural resources and historic versus non-historic buildings at each facility. This data allows the site Environmental Managers to pinpoint resources for maintenance, repair, and preservation, as well as archaeological sites that may need protection or mitigation. GIS data can be updated periodically as facilities are added in future ICRMP updates.
 - **Standard Operating Procedures (SOPs):** Standard Operating Procedures (SOPs) that address both routine impacts related to training and other impacts, such as property alterations, improvements, clearance of training areas, building renovations, changes in real estate boundaries through both Executive Orders (EOs) and installation operations (including abandonment), are included in Chapter 7. And impact assessments follow directives contained in 36 CFR 800 of the National Historic Preservation Act (NHPA).
 - **Native Hawaiians and NHOs:** NHOs and parties for consultation under Section 106 for undertakings are identified. Development of protocols, incorporated as SOP #5, for the inadvertent discovery of cultural materials during the course of HIARNG activities, such as training and routine activities, are also included. HIARNG lands currently have no known sacred sites or TCPs eligible for the NRHP or which qualify under EO 13007, therefore protocols for access are not necessary in this first ICRMP. Future ethnographies and surveys will include identification of sacred sites and TCPs as part of the scope of work. Future updates of this plan will reflect the new findings.

1.4.3 Content and Format

The content and format of the ICRMP follows established preparation guidelines offered in the NGB All State Letter, dated 08 Feb 2002. AR 200-4, DoDI 4751.3, and DA PAM 200-4 were followed, in accordance with National Guard Bureau guidelines for format and content. The ICRMP includes the following:

- ***Executive Summary:*** A one page Executive Summary that presents a brief overview of the objectives and management protocols addressed in the ICRMP.
- ***Introduction:*** This section summarizes the HIARNG's mission in Hawai'i and includes a brief discussion of pertinent State and Federal statutes, regulations, and compliance requirements with a statement of HIARNG policy toward cultural resources management.
- ***Facilities Overview:*** Statewide overview with a general discussion of the number and types of HIARNG facilities included in the ICRMP; site maps locating property boundaries and types of resources present; and archaeological sensitivity assessments and historic contexts. There is a review of both historic and prehistoric resources using existing inventory results and includes the NRHP eligibility of the properties. A facility specific sensitivity model, SOPs, architectural surveys, acres surveyed, acres remaining to be surveyed, and other pertinent findings specific to each facility, is included. An additional section contains a general review of Native Hawaiian issues as they relate to HIARNG properties.
- ***Management Plan:*** Identifies protocols for each installation to manage any potential impacts to resources. These stem from the standing operating procedures and are based on the *Secretary of the Interior's Standards for Rehabilitation* or monitoring and management plans previously developed for a facility. The plan addresses routine actions, inadvertent discoveries and emergency actions, and offers procedural outlines to historic properties considered for demolitions, remodeling, or alterations.

Public Involvement and Education: The ICRMP uses comments from the public and interested parties, where applicable. This section lists facility POCs, and the names and addresses of NHOs and interested parties. Educational training of HIARNG personnel addressing changes to compliance standards, and the type and number of cultural resources in the installation, is ongoing.

CHAPTER 2 CULTURAL RESOURCES

2.1 WHAT ARE CULTURAL RESOURCES?

Cultural Resources are resources significant for their cultural association and integrity. They include archaeological resources, cultural landscapes, historic buildings and structures, museum objects and archival materials, and ethnographic resources. This includes (but is not limited to) *historic properties* or *historic resources* described in the National Historic Preservation Act of 1966 (NHPA), which are “any prehistoric or historic district, site, building, structure, or object included in, or eligible for inclusion on the NRHP, including artifacts, records, and material remains related to such a property or resource.” [16 USC 470w(5)].

2.1.1 *Historic Properties or Resources*

Historic properties or *historic resources* are a subset of cultural resources. They are the physical remains of any prehistoric or historic district, site, building, structure, or object significant in American history, architecture, archaeology, engineering, or culture and included in, or eligible for inclusion on, the NRHP, including those artifacts, records, and material remains related to such a property or resource. *Eligible for inclusion* in the Register includes both properties formally determined as such and all other properties that meet the criteria. The term also includes properties of traditional religious and cultural importance to NHOs and that meets the NRHP’s criteria.

2.1.2 *Archaeological Resources*

Any physical or material remains of past (prehistoric and historic) human activities. It can include prehistoric structures and deposits, as well as historical remains dating from contact with Europeans in 1778 to the present. Such resources include, but are not limited to: pottery, basketry, bottles, weapons, weapon projectiles, tools, structures or remains of structures, pit houses, rock paintings, rock carvings, intaglios, graves, human skeletal materials, or any portion or piece of any of the foregoing items.

2.1.3 *Historic Districts*

A geographically definable area, urban or rural, that possesses a significant concentration, linkage, or continuity of sites, structures, buildings, or objects united by past events or aesthetically by plan or physical development. A district may also comprise elements separated geographically but linked by association or history.

2.1.4 *Traditional Cultural Properties (TCPs) and Traditional Sites*

National Register Bulletin 38, a handbook produced by the National Park Service, defines the concept of a TCP. It is described as “a place that is eligible for inclusion in the NRHP because of its association with cultural practices or beliefs of a living community that (a) are rooted in that community’s history, and (b) are important in maintaining the continuing cultural identity of the community”. This includes properties related to any community or group of individuals

(various ethnic populations) living together in a location or area, who have a shared or common history and/or social, economic and political interests. "Traditional" in this context refers to those beliefs, customs, and practices of a living community of people that have been passed down through the generations, usually orally or through practice. According to the NRHP, "culture" is understood to mean the traditions, beliefs, practices, life ways, arts, crafts, and social institutions of any community, be it an Indian tribe, a local ethnic group, or the people of the nation as a whole. The *traditional cultural significance* of a historic property, then, is significance derived from the role the property plays in a community's historically rooted beliefs, customs, and practices.

When considering a property under the Register's Criteria for Evaluation, a TCP would fall under "Criterion A: Event" of the four criteria (Criterion A through D) used to evaluate a property for listing on the NRHP. Identification of TCPs is a project which is projected to begin in FY06 of the five-year management protocol.

Traditional Sites are resources that have a traditional Hawaiian significance which may or may not include physical remains; e.g. a significant traditional site may be identified only by a place name that indicates an association with an important person, event, or type of place.

2.1.5 *Material Remains*

Physical evidence of human habitation, occupation, use, or activity, including the site, loci, or particular context for such evidence, including:

- Surface or subsurface structures;
- Surface or subsurface artifact concentrations or scatters;
- Whole or fragmentary tools, implements, containers, weapons, clothing, and ornaments;
- By-products, waste products, or debris resulting from manufacture or use;
- Organic waste;
- Human remains;
- Rock carvings, rock paintings, and intaglios; rock shelters and caves;
- All portions of shipwrecks; or any portion or piece of any of the foregoing.

2.2 THE CULTURAL LANDSCAPE APPROACH

The cultural landscape planning approach defined in "*Cultural Resources Management Planning*" [AR 200-4 (2-1)] is often overlooked in historic preservation projects, which generally focus upon details of particular sites, features and buildings. The essential element in utilizing the cultural landscape is context: understanding how sites and their component features are embedded in larger cultural contexts. In the case of military properties, the cultural landscape approach becomes an organizing conceptual principle utilized in the development of the ICRMP, with the goal of understanding the entire land use of a facility rather than simply the components. Of particular importance to the Hawaii Army National Guard (HIARNG) is how the concept relates to identifying community relationships to the *'aina* (in Hawaiian) or *land*. The approach welcomes community participation in determining the significance and

management of resources, and it considers local populations as part of the cultural landscape by welcoming individuals as potential sources of knowledge about the land use and history of the installation. Using the approach, sensitivity analysis, and analysis of the spatial relationships between natural, cultural, and other man-made landscape features can provide data for a systematic patterning of use over time, which will facilitate land management protocols and provide a single comprehensive planning approach to maximize time and funds.

For example, at Ft. Ruger JFHQ (Joint Force Headquarters), historic batteries within the Diamond Head State Monument used by the HIARNG have resulted in an extensive restoration stewardship program in the planting of native plants and trees in area of the crater, both around these cultural resources and within the monument, to support the new Diamond Head Master Plan for refurbishing of the Monument. The goal of the Master Plan is to return the interior of the crater to its natural state so that the 1.5 million visitors per year can experience the Diamond Head of prehistoric times, while enjoying the features of the Endicott phase of the Hawaiian Seacoast Defense system built at the turn of the 20th century. These features include large batteries designed to repel invasions from the shores of Waikiki, including Batteries Harlow, Berkheimer, Dodge, and Huling, and a system of fire control stations built on the lip of the crater that provide, after a short hike, a spectacular view of Waikiki. Ft. Ruger lies both outside and inside the crater, and is an integral part of Hawai'i's military history, being part of the first military base in Hawai'i built after annexation of the Territory in 1893. The HIARNG is maintaining, preserving, and restoring portions of this system, and implementing a planting restoration program in concert with State Parks to support the new master plan. The joint goal is to leave a legacy of shared preservation and restoration goals upon abandonment of JFHQ later in the first decade of 2000. Other cultural landscape approaches to be used with other facilities within the installation include:

- A walking trail with signage pointing out native plants (including those used for food and to make *okolehao*, a strong native brew) to the historic way station located directly off the Puna Trail at KMR.
- Signage explaining the intricacies of living and hunting for extinct birds on the Ewa plain in the prehistoric period, whose bones may be found in the three sink holes at Kalaeloa.

Pursuant with a Memorandum of Agreement (MOA) between the HIARNG, the SHPO, and the Moloka'i Historical Society, an enclosure will be built whereby the restored Moloka'i Cannon can be displayed outside the armory. This piece of Hawaiian history from the mid 19th century ties the HIARNG with its historic past as King Kalakaua's militia in the 1850's.

2.3 THE GUARD'S MANDATE FOR ENVIRONMENTAL STEWARDSHIP

The Hawaii Army National Guard's state mission is to protect the natural and cultural resources under its stewardship to ensure a realistic, non-degraded setting for military training exercises. This, in turn, supports the Guard's overall mission to maintain combat readiness and to organize response locally in times of war or disaster. The purpose of this plan is to demonstrate how HIARNG complies with applicable federal, state, and local laws governing cultural resources.

2.4 HISTORY OF THE HAWAII NATIONAL GUARD

2.4.1 *Early History-Kingdom of Hawai‘i*

This history of the Hawaii Army National Guard is condensed from two definitive sources. The first is “History of the Hawaii National Guard from Feudal Times to June 30, 1935” by Charles Lamoreaux Warfield, Second Lieutenant, Q.M Reserve, U.S. Army, which was presented as a Master’s thesis in history at the University of Hawai‘i in 1935. The second is “Hawaii’s Military Heritage: Polynesian to Annexation” by Colonel Walter F. Judd, a member of the Hawaii Army National Guard and a local historian, that was given to the Guard in 1977.

The beginnings of the Hawaii Army National Guard lie in the brief takeover of the Hawaiian Monarchy by the British in 1843. The British Commander to Hawai‘i, Lord George Paulet, seized the islands to arrest France’s proposed takeover. In charge for several months, Paulet organized the native troops into a military force consisting of 200 regular troops, plus 250 “Militia Men”--troops paid by the government. The Militia consisted of four captains, four First Lieutenants, four Second Lieutenants, sixteen sergeants, sixteen corporals, and about two hundred privates. A private earned 10 cents a day.

In 1854, King Kamehameha III, just before his death, attempted to reorganize the military system through a law titled “An Act to Establish a Militia in the Hawaiian Islands” to gather all the disparate forces in the kingdom into one unit that could quickly respond to a call by the Monarchy. The King died before institution of the Act. In 1857, prominent community businessmen formed a volunteer infantry called the Honolulu Rifles, and in 1860, the First Hawaiian Cavalry. Prior to disbanding by the King in 1873, these two units and regular troops of the kingdom constituted the military force in Hawai‘i.

Kamehameha IV died in 1872 without an heir or naming a successor to the throne. Prince Liholiho’s claim to the throne surmounted Prince David Kalakaua’s, but Liholiho died within the year. Kalakaua’s election resulted in a riot by the supporters of Queen Emma and the militia refused to respond to the King. King Kalakaua required a strong militia, and Attorney General Hartwell organized fifty men into a militia force called the “King’s Guard”. Kalakaua organized an infantry company of native Hawaiians called the *Mamalahoas*. In 1883, as a result of rising political tensions in the kingdom, many Caucasians felt that a militia was needed and revived the Honolulu Rifles.

In 1889, Robert Wilcox, a European educated Hawaiian, sponsored a revolt supporting the monarchy of Princess Liliu‘okalani for Queen. Wilcox worked in secret to organize a native rifle club and on the morning of July 20, 1889 he and 150 followers took possession of the Government Building and the Palace Grounds. The King’s Guard stayed neutral, remaining in the barracks. The Honolulu Rifles confronted the insurgents. The insurgents retreated to a small building on the palace grounds, and returned fire. The fighting killed seven and injured a score before the revolutionists surrendered the following day. Queen Liliu‘okalani ascended the throne of Hawai‘i in 1891, though the Ministry soundly denied a new constitution she put forth. Instead, on January 19, 1893, a committee called for the abolition of the Monarchy and the establishment of a provisional government, with Judge Sanford B. Dole as President. Military

forces of the Provisional Government of Hawai‘i, led by Colonel John Soper, formed a volunteer force. On Jan 27, 1893, the Executive and Advisory Council passed “An Act Providing for the Formation of the National Guard of Hawaii” with Colonel Soper as Commander of the military. The National Guard structure followed the U.S. Army structure. On February 1, 1893, Minister Stevens raised the American flag with a proclamation placing the Hawaiian Islands under the protection of the United States. The volunteer guards and militia were relieved from active duty. The eight Austrian artillery pieces purchased by Kalakaua became the property of the Provisional Government (the only remaining piece is located at the National Guard armory on the island of Moloka‘i). The National Guard then moved into the Iolani Palace Barracks.

2.4.2 The National Guard in the Republic of Hawai‘i

Believing the protection illegal, on March 31, 1889, President Grover Cleveland withdrew American troops protecting the Hawaiian government. With the removal of the U.S. protectorate, the National Guard rose in importance to the residents. On April 1, 1893, the National Guard consisted of two companies of regular troops (Companies A and E), two companies of volunteer infantry (Companies B and C), one company of volunteer artillery (Company D), and a Band and Drum Corps, with a total troop strength of 450 men.

On June 30, 1893, President Dole declared Martial Law on Kaua‘i. He sent Colonel Soper to assist the civil authorities in relocating a colony of lepers from Kalalau Valley to the Kalaupapa leper colony on Moloka‘i. Two National Guardsmen were killed and most of the lepers captured in several skirmishes up the valley. President Dole withdrew the Guard and left the dispute with the civil authorities on Kaua‘i. The National Guard fought during the Battle of Diamond Head. This battle resulted from a botched rebellion attempt. Native Hawaiians recruited by rebellion leaders opened fire on police who were searching for arms and ammunition in a house the rebels occupied. The rebels killed one man. One of the Austrian artillery pieces was loaded onto the tug “Eleu” and set out for Diamond Head. The cannon and Company E fought through the day, killing five rebels. That night the rebels fled with their leader, Robert Wilcox. The National Guard sent a field piece and six sharpshooters to quell rebels on Punchbowl. In what is known as the Battle of Moiliili, rebels exchanged heavy fire with Guardsmen while hiding in the extinct crater of Punchbowl. After heavy fire with the artillery piece, the group gave up. Three were dead and several wounded. The following day, the National Guard pursued the main body of rebels retreating up Manoa valley to hide in the mountains. A detachment from Company D with five field pieces, Company A, and a company of sharpshooters harassed the rebels up the valley. Some surrendered, three were dead, and the rest moved into the mountains to make their own terms with the government. The National Guard spent the next week searching every valley for the leaders of the rebellion, capturing Robert Wilcox and Sam Nowlein within the week.

During the year of 1895 recruiting for two more companies (G and H) occurred. The National Guard consisted of two regular companies, Companies E and F, six volunteer companies (companies A, B, C, D, G, and H), a company of Sharpshooters, and the Citizen Guard. Majors led the First Regiment, divided into two battalions, with four companies in each battalion.

2.4.3 *The National Guard from Annexation through World War I*

Annexation of Hawai‘i occurred on August 12, 1898, as the Spanish-American War was breaking out. United States troops were to take over the Palace and the Executive Building, and the Guard prepared for disbandment. However, the National Guard had exclusive use of the Drill Shed and the Iolani Palace Barracks, as these were unsuitable for the U.S. troops. The next deployment occurred in December 1899 during a cholera epidemic in Chinatown. The Guard cordoned off and guarded Chinatown. During the epidemic, a fire broke out in Chinatown. Those forced from their homes by the epidemic or fire received help from the U.S. Government in the form of tents, blankets, and clothing. The National Guard guarded the detention camp that held the sick and homeless.

On June 14, 1900, the Republic of Hawai‘i became the Territory of Hawai‘i. In 1902, Congress passed “A Bill to Promote the Efficiency of the Militia and Other Purposes.” The act coordinated and standardized the National Guard organizations of the various states to form an efficient fighting force, including the establishment of an Adjutant General post. During the decade following annexation the Guard’s military efficiency increased, though not without financial problems. National Guard numbers ebbed and flowed over the next ten years due to funding shortages. In 1908, Hilo had a company, with two on the Island of Maui, one on Kaua‘i, and eight in Honolulu. The Guard grew by organizing volunteer Infantry requiring limited or no pay. A company mustered into the First Regiment at Hilo as Company D. Another formed as Company E in Honolulu, and Company I mustered at Wailuku, Maui.

In 1910, eight hundred Russian immigrants arrived in Honolulu to work in the cane fields. Infected with diphtheria, the Board of Health quarantined them in a camp, requesting Guard assistance in caring for the sick, and to guard the camp. In 1911, a yellow fever epidemic broke out in Honolulu, and the Guard assisted with treatment and guarded the camp set up in the Kalihi area. In 1913, Lahaina completed an armory and assurances of funding for armories spurred a recruiting campaign to bring the First Infantry up to twelve companies. In 1915, Companies A, B, C, and D became the First Battalion, Second Infantry; Companies E, F, G, and H became the Second Battalion, Second Infantry; and Companies I, K, L, and M became the Third Battalion, Second Infantry. In 1915, the Guard expanded again. In 1916, Field Company A, Signal Corp mustered into service, with permission to muster four new companies of Coastal Artillery. By July 1916, the strength of the Hawaii Army National Guard was five thousand. Finally, the War Department federalized the Guard to prepare for the coming war. Large sugar plantations assisted the Guard by urging workers to join, transported them to and from their meeting places, and loaned land and buildings for armories, storehouses, drilling fields, and target ranges. Today, some of these are still Guard property. When the U.S. entered the WWI, four regiments took over for regular Army regiments as the regular Army units moved overseas from stations at Ft. Shafter and Schofield Barracks. The Guard regiments demobilized after the Armistice.

2.4.4 *The National Guard from World War I to the Present*

After demobilization, the Guard consisted of a small force designated to care for federal and territory properties and to care for armories. The “new” National Guard came into existence in 1918 around the Fifth Infantry. By 1923, the strength of the Guard stood at 1,306 men. In 1923, the designation of the First Infantry was changed to the 298th Infantry on O‘ahu and the 299th Infantry on Hawai‘i and Maui.

The National Guard re-mobilized in 1946 after the end of WWII. Since this time, the Hawaii Army National Guard has served in Korea, Vietnam, the Gulf War, and the war on terrorism. Today, the HIARNG’s *federal mission* is to serve as an integral component of the Total Army by providing fully-manned, operationally-ready, and well-equipped units that can respond to any national contingency ranging from war and peacekeeping missions to nation-building operations. The *state mission* of the HIARNG is to provide a highly effective, professional, and organized force capable of supporting and assisting civilian authorities in response to natural disasters, human-caused crises, or the unique needs of the state and its communities.

Commanded by Brigadier General Vern T. Miyagi, the HIARNG is composed of a Headquarters, Hawaii Army National Guard (HQ HIARNG) and three major commands: the 29th Separate Infantry Brigade (29 SIB), the 103rd Troop Command, and the 298th Regiment-Multifunctional, Regional Training Institute (298th RTI). HIARNG units and installations are located in communities on the islands of Hawai‘i, Maui, O‘ahu, Moloka‘i, and Kaua‘i.

2.5 INSTALLATION BACKGROUND

The HIARNG uses 17 sites located on five of the eight Hawaiian Islands: Hawai‘i, Kaua‘i, Maui, Moloka‘i, and O‘ahu. The sites are separated by physical distance, and characterized by diverse geographic features that include coastal plains to deep cut valleys and mountainous terrain. The installation sites range in size from 0.6 to 506 acres. Some of the sites are virtually untouched, however, most of the sites are located on improved land that is owned by the State of Hawai‘i; licensed from the Federal government or the Department of Defense; or occupied under Executive Order (EO). The State designates land for agricultural and forest use, and HIARNG field training is approved by the State Land Use Commission. The HIARNG’s various military installations and LTAs are diverse and require development of individual management strategies to respond to the unique conditions and characteristics exhibited by the various locations.

2.6 FACILITIES EXAMINED

There are 17 facilities within the installation of the Hawaii Army National Guard included in this ICRMP. These facilities include a military reservation; armories; Organizational maintenance shops (OMSs); a Unit Training Equipment Site (UTES); Firing Ranges; a Historic District; a Regional Training Institute (RTI); a former Navy airfield; and a building on Wheeler Army Airfield. Other locations were not included either because: 1.) They have not been environmentally evaluated, or 2.) They are on private lands that have not been environmentally evaluated, or 3.) The HIARNG has right-of-entry permits that, though still in effect, are no

longer used. The following is a list of the facilities, listed alphabetically by island, with those occupying Federal property marked with an asterisk (*):

1. Honoka'a Armory-Honoka'a, Hawai'i
2. Kea'au Armory-Kea'au, Hawai'i
3. Kealakekua Armory-Kealakekua, Hawai'i
4. Keaukaha Military Reservation (KMR)-Hilo, Hawai'i
5. Hanapepe Armory and OMS #5-Hanapepe, Kaua'i
6. Kapa'a Armory-Kapa'a, Kaua'i
7. Kekaha Firing Range-Kekaha, Kaua'i
8. Paukukalo OMS #3-Wailuku, Maui
9. Pu'unene Armory-Pu'unene, Maui
10. Ukumehame Firing Range-Ukumehame, Maui
11. Kaunakakai Armory and OMS #4-Kaunakakai, Moloka'i
12. Ft. Ruger/Diamond Head Crater (DHC)-Honolulu, O'ahu
13. Kalaeloa and OMS #1-Kapolei, O'ahu
14. Regional Training Institute (RTI), Bellows Air Force Station (AFS)-Waimanalo, O'ahu*
15. Wahiawa Armory and OMS #2-Wahiawa, O'ahu
16. Waiawa Gulch Units Training Equipment Site (UTES)-Pearl City, O'ahu*
17. Wheeler Army Air Field (AAF)-Wahiawa, O'ahu



Figure 1: *Geographic Map-The Hawaiian Islands*

CHAPTER 3 PERSONNEL AND RESPONSIBILITIES

3.1 INTRODUCTION

This section identifies the personnel responsible for coordinating and communicating management activities regarding cultural resources. This responsibility incorporates meeting the requirements of the various Federal and State regulations, Executive Orders (EOs), AR 200-4, DoDI 4751.3, and AR PAM-200-4 “*Cultural Resources Management*”.

3.2 ROLES AND RESPONSIBILITIES

3.2.1 Responsibilities of the Adjutant General (TAG)

The Adjutant General (TAG) ensures the institution of the HIARNG’s cultural resources management program and that the installation:

- Complies with existing legislation, regulations, historic preservation laws, and NGB directives for managing cultural resources.
- Establishes and maintains databases describing the nature and location of significant cultural resources.
- Implements and modifies the integrated Cultural Resources Management Plan (ICRMP) as needed.
- Designates a Historic Preservation Officer (HPO) or Cultural Resources Manager (CRM) for HIARNG as the single point of contact for all cultural resources management actions.
- Consults with the SHPO and Native Hawaiian individuals, groups, or organizations identified as having an interest or important information regarding the historical and cultural knowledge of an historic property, cultural resource, traditional cultural or religiously significant property (TCP), in accordance with *Section 106, NHPA (36 CFR 800.4)*, or sacred site in accordance with *EO 13007*.
- Identifies and establishes an Installation Cultural Resources Management Program by implementation of the AR 200-4 regulation “Cultural Resources Management” and DoDI 4751.3, and designate a Cultural Resources Manager (CRM) to coordinate the installation’s cultural resources management program. The CRM will have the appropriate knowledge, skills, training, and education to carry out all cultural resources responsibilities and that all technical work, including the preparation and implementation of this ICRMP, is completed by an individual who meets the applicable professional qualifications established by the National Park Service in 36 CFR 61.

- Participates as a signatory on NHPA Memoranda of Agreement (MOAs), Programmatic Agreements (PAs), Plans of Action and other cultural resources agreements after Major Area Command and Headquarters Department of the Army comments have been addressed. Develop ICRMPs, cultural resources inventory plans and schedules, NHPA PAs and MOAs, NAGPRA CAs, Plans of Action, and other documents as appropriate, and coordinate such documents with the Major Area Command and Headquarters Department of the Army in accordance with AR 200-4 and DoDI 4751.3.
- Serves as the Agency Official as defined in 36 CFR 800 with responsibility for installation compliance with the NHPA. Serve as the Federal Agency Official as defined in 43 CFR 10 with responsibility for compliance under NAGPRA. Serve as Federal Land Manager as defined under 32 CFR 229 with responsibility for installation compliance with ARPA. Serve as the Federal Agency Official as defined in 36 CFR 79 with management authority over archaeological collections and associated records.
- Ensures that cultural resources management is integrated with installation training and testing activities, master planning under AR 210-20, environmental impact analysis (AR 200-2), natural resources and endangered species management planning and programming to include the Integrated Natural Resources Management Plan (AR 200-3) and the Integrated Training Area Management (ITAM) program. Ensure that the installation Cultural Resources Management program is developed and implemented in accordance with the policies and guidelines set forth in AR 200-4 and DoDI 4751.3.
- Ensures that as the Agency Official that his or her statutory obligation to fulfill the requirement of Section 106 compliance is met, particularly in accordance with Subpart B. After consulting to resolve adverse effects pursuant to Sec 800.6 (b) (2), the TAG, the SHPO, or the ACHP may determine that consultation is unproductive and terminate the consultation. The TAG ensures that the HIARNG will notify other consulting parties and provide them the reasons for termination in writing.

3.2.2 Responsibilities of the Facilities Management Officer (FMO)

The Facilities Management Officer (FMO) is responsible for overseeing all cultural resources management activities for the HIARNG. This includes:

- Coordinating with the TAG staff, the Environmental Protection Specialist, the environmental staff (particularly the Cultural Resources Manager) to promote, implement, guide, and record consultation procedures in accordance with *Section 106 of the NHPA (36 CFR 800)*.
- Making decisions to carry out necessary actions to mitigate impacts to identified historic and cultural resources. Ensuring preparation of Section 106 consultation documentation, including Environmental Assessments (EAs), Environmental Impact

Statements (EISs), MOAs, MOUs, and any other formal agreements necessary to mitigate impacts to relevant historic and cultural properties. Complete cost/benefit analyses to compare impact measures such as renovation versus demolition, repair, and maintenance.

- Implementing and maintaining a cultural resources program. The program will include a full-time cultural resources manager who will conduct, execute, guide, and complete the necessary inventories of historic and cultural resources at facilities within the installation. Responsible for ensuring cultural resource management practices and plans support and are compatible with training needs and doctrine.
- Acting as the POC between trainers, commanders, design firms, architects, environmental contractors, planners, hazardous waste remediation contractors, and the Environmental office for the review of any invasive landform changes including new construction, grading, bulldozing, soil sampling, and for architectural modifications to historic structures.
- Providing guidance to trainers and commanders regarding possible impacts to identified and unidentified cultural resources located on training areas.
- Reviewing cultural resources documentation such as the installation Historic Preservation Plan, draft ICRMP, contractor reports, NRHP determinations, PAs, MOAs, MOUs, and other cultural resources agreements for compliance.

3.2.3 Responsibilities of the Environmental Protection Manager (EPM)

The Environmental Protection Manager (EPM) is responsible for coordinating all HIARNG projects affecting significant or potentially significant cultural resources with: the State of Hawai'i Historic Preservation Division (SHPD); the Section 106 consultation process; and, where applicable, with the Advisory Council on Historic Preservation (ACHP). The EPM is also responsible for coordinating and implementing the following:

- Section 106 compliance procedures as assigned by the TAG or the FMO in accordance with *Section 106, NHPA 36 CFR 800*.
- Notification of cultural resources (the location and the sensitivity of these resources) for visitors and users of HIARNG lands in accordance with the *Archaeological Resources Protection Act* and *Section 110 (a), NHPA*.
- Educational opportunities for the HIARNG, Native Hawaiians, and for the general public benefit regarding cultural resources on HIARNG lands.
- Coordination with archaeological contractors, trainers, commanders, Facilities Environmental Coordinators (FECs), Native Hawaiians, the environmental staff, and the public, as assigned by the TAG or the FMO, regarding mitigation of impacts to

cultural resources and historic properties on HIARNG facilities, all in accordance with *Section 106 and Section 110 of the NHPA*.

- Monitor federal government and contractor activities by serving as a Contracting Officer's Technical Representative (COTR) to ensure compliance with State and Federal cultural resources regulations.
- The use, monitor, and review for professional quality the actions and reports of professional archaeological and architectural cultural resources management services, as appropriate.
- The review of cultural resources documentation such as the installation's Historic Preservation Plan, Draft ICRMP, contractor reports, NRHP determinations, PAs, MOAs, MOUs, and other cultural resources agreements for compliance.

3.2.4 Responsibilities of the Cultural Resources Manager (CRM)

- Manage the installation cultural resources and cultural preservation program under the guidance of the EPM and FMO and in accordance with the guidelines and SOPs set forth in the ICRMP.
- Locate, inventory, and evaluate installation cultural resources and historic properties in accordance with State and Federal regulations.
- Develop and review cultural resources documentation such as the installation Historic Preservation Plan, Draft ICRMP, contractor reports, NRHP determinations, PAs, MOAs, MOUs, and other cultural resources agreements for compliance (under the supervision of the EPM and FMO) in accordance with *EO 13007; EO 13006; AR 200-4, sec. 2-4; DoDI 4751.3; and Section 110 (a), NHPA*.
- Participate in project and program planning to ensure the protection of cultural resources according to the ARNG policies and procedures, including the development of MOAs, and MOUs.
- Ensure that project-specific surveys and ethnographic surveys are conducted to identify all cultural resources, and ensure that measures are taken for their protection in accordance with *EO 13006, EO 13007, Section 110 (a) NHPA, and 16 USC 470bb, ARPA*.
- Develop and maintain a database of all cultural resources, TCPs, and sacred sites found within the boundaries of the installation.
- Act as the liaison (pursuant to *36 CFR 800.12*) between HIARNG FECs, trainers, commanders, environmental staff, and the Public Affairs Officer (PAO), along with Native Hawaiians, the SHPD, the ACHP, other service branches within the DoD, and the public, as assigned by the TAG, FMO, or EPM.

- Maintain documentation of HIARNG compliance with State and Federal regulations.
- Conduct cultural resources sensitivity training to the HIARNG staff, the public, and other interested parties as assigned or required.
- Serve as the POC for all members of the HIARNG on cultural resources and cultural resources concerns, and cultural issues and concerns regarding Native Hawaiian. Should questions arise among the rank and file regarding HIARNG's attitudes, feelings, and position regarding Native Hawaiian or cultural resource issues, those questions will be directed to the CRM via the PAO.
- Promote HIARNG CRM initiatives to the public through outreach and educational programs in schools, at conferences, through Hawaiian Archaeology Week celebrations, volunteerism, and special programs conducted in concert with other environmental programs, such as Natural Resources restoration projects and ITAM, if possible.

The CRM should have at least a Master's level degree in Anthropology, Geography, or History. If the CRM does not possess this level of degree status, the following training should be attained over the course of this plan:

1. Introduction to Federal Projects, Section 106 course
2. Advanced Course in Writing Programmatic Agreements
3. Complete a NAGPRA course
4. Complete a National Guard Bureau's NEPA Writers course

The CRM should also enroll in a job related education course or participate in a meeting of a professional organization, such as the Society for American Archaeology, the Society for Historic Archaeology, Society for Industrial Archaeology, and the Historic Buildings Conference. All training is subject to the availability of federal funds.

3.2.5 Responsibilities of the Facilities Environmental Coordinators (FECs)

The Facilities Environmental Coordinators (FECs) are on-site representatives of the Environmental Office at each facility within the HIARNG installation. Duties include but are not limited to:

- Acting as cultural resources managers.
- Coordinating activities between the FMO, EPM, and CRM to mitigate impacts to cultural or historic properties.
- Participating as a representative in Section 106 consultation, if required.
- Providing documentation of all actions related to management of cultural resources or historic properties at the facility.

- Reading, understanding, and implementing ICRMP SOPs for the facility.
- Attending awareness training in cultural resources management, and quarterly meetings of the Environmental Quality Control Committee (EQCC).
- Serving as the liaison with the SHPO to facilitate management procedures.
- Attending training in cultural resources management provided by the HIARNG CRM and CR personnel in order to complete the tasks of an FEC with regards to cultural resources management.

3.2.6 *Responsibilities of the State (of Hawai‘i) Historic Preservation Officer (SHPO)*

Section 106 (36 CFR 800) assigns several responsibilities to the SHPO, among which are the following:

- Serve as a consulting party in the Section 106 process, specifically commenting on the adequacy of the consultation and aiding consulting parties in developing formal agreements to mitigate any impacts.
- Provide guidance and concurrence for Section 106 undertakings under NHPA. Review and concur with findings in EAs, EISs, and RODs (Record of Decisions).
- Provide written concurrence or non-concurrence within ninety days after the filing of a request for undertakings directly undertaken by the State and its political subdivisions. For the purposes of Hawai‘i Revised Statutes 6E-42 review (HRS §§ 6E7 and 8) undertaking also means any lease, permit, license, certificate, land use change, or other entitlement for use issued by the State. The SHPO’s concurrence is required before initiating any projects of this type.
- Under Chapter 6E-7, the State shall manage all historic properties under its control. The department shall determine the conditions for any research affecting the historic property and may issue permits for the research. The State may hold all known burial sites located on lands owned or controlled by the state in trust for preservation or proper disposition by lineal or cultural descendants.

CHAPTER 4 STATEWIDE OVERVIEW

4.1 PREVIOUS ASSESSMENTS AT THE INSTALLATION LEVEL

Only certain HIARNG facilities have been archaeologically surveyed at the *reconnaissance or inventory level*, or at the *architectural assessment level*. The owner, according to the “Secretary of the Interior Standards”, must assess facilities with *historic buildings* located on federal property using the Historic Architectural and Building Survey (HABS) methodology. Previously conducted surveys assigned *historic significance* to some buildings through historic property categories, as defined in (Army) Technical Manual (TM) 5-801-1. These categories include:

- Category 1 - Properties of major importance,
- Category 2 - Properties of importance,
- Category 3 - Properties of minor importance,
- Category 4 - Properties of little or no importance, and
- Category 5 - Properties detrimental to the significance of adjacent historic properties.

The table below provides a listing of these facilities:

Facility Name	Work Conducted	Date Completed	Results and Disposition
Kekaha Firing Range	Subsurface Inventory Level Survey	1994	No sites/cultural debris/human remains recorded- Folk and Hammatt, 1994
Moloka'i Armory	HABS/HAER of 1939 Armory	1994	Armory replaced in 1995
Kalaeloa (Barbers Point)	HABS/HAER of Hangars 117 and 282	1995	Covered under the Navy CRMP in 1995. Presently covered under HIARNG ICRMP. Three sinkhole sites
Keaukaha Military Reservation	Reconnaissance and Inventory Level Surveys; Data Recovery Survey	Reconnaissance: 1997 Inventory: 1998 and 2002 Data Recovery:	Five sites, prehistoric and historic. Recordation of extant buildings.
Moloka'i Armory	Moloka'i Cannon study	1997	Historic artifact
Ukumehame Firing Range	Inventory Level Survey	1997	No sites recorded
Bellows RTI	Inventory Level Survey	1998	One prehistoric site and historic revetments. Covered under Air Force CRMP
Ft. Ruger Historic District	Battery Harlow Feasibility Study	1998	Category 1
Pu'unene Airfield	Inventory Level survey	2000	Recordation of pads and extant buildings-consultation when NIARNG property becomes MCRC because is an undertaking
Wheeler Army Air Field	HABS/HAER of Hangars 110 and 113	2000	Category 1 covered under Army CRMP

Table 2. Previous Assessments by Facility

HABS/HAER: Historic American Building Survey/Historic American Engineering Report is a methodology used by the National Park Service as set out by the Secretary of Interior for documenting and recording information about architecturally important buildings and engineering elements

4.2 ELIGIBILITY CRITERIA UNDER THE NATIONAL HISTORIC PRESERVATION ACT (NHPA) TO THE NATIONAL REGISTER OF HISTORIC PLACES (NRHP)

There are characteristics of a property that qualify it for eligibility to or listing on the NRHP, as defined in 36 CFR 60, also known as “the National Register” or “the Register”. The quality of significance in *American history, architecture, archaeology, engineering, and culture* is present in *districts, sites, buildings, structures, and objects* that possess integrity of *location, design, setting, materials, workmanship, feeling, and association*. A property that displays these qualities in addition to meeting *at least one* of the following *four* criteria will meet the NRHP’s evaluation standards for determining eligibility to or listing on the Register:

- *Association with events that have made a significant contribution to the broad patterns of history;*
- *Association with the lives of significant persons;*
- *The resource embodies distinctive characteristics of a type, period, or method of construction, or it represents the work of a master, or it possesses high artistic values, or it represents a significant and distinguishable entity whose components may lack individual distinction; and/or*
- *It has yielded, or may be likely to yield, information important in prehistory or history.*

4.2.1 National Register of Historic Places (NRHP)

The listing of districts, sites, buildings, structures, and objects of national, state, or local significance in American history, architecture, archaeology, engineering, or culture that is maintained by the Secretary of the Interior (the “Keeper of the Register”). This register is provided for under the National Historic Preservation Act (NHPA) of 1966.

4.2.1 Determination of Eligibility

This is a formal process to determine if a property is eligible for listing on the Register. Rendering a determination occurs in ten or 45 days so that project and program decisions may proceed quickly.

4.3 CRITERIA CONSIDERATIONS

In addition to criteria that determine if a property is eligible for inclusion on the Register, there are criteria that would render a property *ineligible* for inclusion on the Register. The following list provides examples of such criteria:

- Cemeteries, birthplaces, graves of historical figures, properties owned by religious institutions or used for religious purposes
- Structures that have been moved from their original locations, reconstructed historic buildings, and properties primarily commemorative in nature

- Properties that have achieved significance within the past 50 years. Properties eligible for listing to the Register are generally at least 50 years old. Properties less than 50 years of age must be of exceptional importance to be considered eligible for listing to the Register.

However, such properties *will* qualify if they are integral parts of districts that *do* meet the eligibility criteria or if they fall within the following categories:

- A religious property deriving primary significance from architectural or artistic distinction or historical importance; or
- A building or structure removed from its original location but which is primarily significant for architectural value, or which is the surviving structure most importantly associated with a historic person or event; or
- A birthplace or grave of a historical figure of outstanding importance if there is no appropriate site or building directly associated with his or her productive life; or
- A cemetery which derives its primary importance from graves of persons of transcendent importance, from age, from distinctive design features, or from association with historic events; or
- A reconstructed building when accurately executed in a suitable environment and presented in a dignified manner as part of a restoration master plan, and when no other building or structure with the same association has survived; or
- A property primarily commemorative in intent if design, age, tradition, or symbolic value has invested it with its own exceptional significance; or
- A property achieving significance within the past 50 years if it is of exceptional importance.

4.4 SENSITIVITY LEVELS AND PREDICTIVE SITE MODELING

There are three levels of *historic preservation sensitivity* defined for historic properties for facilities on the HIARNG installation. The sensitivity levels are based on a combination of:

- Settlement pattern analysis and previous and expected military land use.
- The extent of historical disturbances, landform modifications, or geological constraints.
- A predicted presence or absence of cultural resources based on previous investigations and historical research.

The three sensitivity levels (High, Medium and Low) and the predicted cultural resources are included in each facility discussion.

4.4.1 Sensitivity Levels

- ***High Sensitivity:*** Applies to areas of known or inferred archaeological and traditional features that may be impacted by land use.

- **Medium Sensitivity:** *Applies to areas where there is a high probability of significant archaeological sites preservation. These include buried, in situ deposits.*
- **Low Sensitivity:** *Applies to areas where there is a low probability of archaeological sites.*

4.5 PRESERVATION AND MITIGATION STRATEGIES

This ICRMP presents a management overview that describes general preservation strategies such as goals, policies, treatment programs, and design guidelines for the maintenance, repair, restoration, rehabilitation, new construction, and demolition of significant historic buildings, along with the disposition of archaeological sites, sacred sites, TCPs, burials, and cemeteries. The management plan and preservation strategies are detailed for each of the HIARNG's facilities and training areas in Chapter 9, "Overview of HIARNG Cultural Resources" and through the SOPs in Chapter 7.

4.6 ECONOMIC ANALYSIS OF HISTORIC BUILDINGS, ARCHAEOLOGICAL SURVEYS, AND MITIGATION ACTIVITIES

4.6.1 *Economic Analysis of Historic Buildings*

The most extensive cultural resource on the HIARNG installation is historic buildings, encompassing pre-WWI through Cold War Era buildings. The HIARNG is required to conduct an economic analysis for the demolition or replacement of these structures. Executive Order (EO) 13006 recommends historic buildings and structures are adaptively re-used wherever possible; however, this must be justified through a life-cycle analysis.

Economic factors to consider concerning historic buildings:

- When rehabilitation costs exceed 70 percent of the building's replacement cost, the building may be replaced. However, the 70 percent value may be exceeded if the structure warrants special attention or if justified by the life-cycle cost comparisons.
- A new construction assessment must include life-cycle maintenance costs, utility costs, replacement costs, and all factors pertinent to a complete economic analysis.
- Replacement costs must be based on architectural design that is compatible with the historic property or district, or proposed property or district.
- Potential reuses of the historic structure must be addressed prior to making the final decision to dispose of the property.
- The HIARNG must also consider costs associated with contracting qualified personnel such as historic architects, archaeologists, and the services of other professionals to carry out the necessary assessments to complete the required analysis.

4.6.2 *Archaeological Surveys*

The two primary types of archaeological surveys conducted at HIARNG facilities are:

- **Reconnaissance Level Survey:** This type of survey is used to determine whether archaeological resources exist on the facility; to make a preliminary determination of the nature and extent of the resources present; and to determine if there is a need for a more in-depth inventory level survey to establish function and determine significance of these resources. The goal of a reconnaissance survey is to quickly identify where archaeological sites are most likely to occur. Another use of a reconnaissance survey is to maximize the number of sites found while minimizing the time and money expended. Such surveys may use numerous small, stratified samples of terrain and ecological zones, or may employ spatial statistics or sensitivity models to generalize typical site locations.
- **Inventory Level Survey:** This survey is used to determine the location of cultural resources that may have national, state, or local significance, to include historical properties of traditional cultural value and those properties identified through an ethnographic survey. The goal of an inventory survey is a detailed accounting of each cultural resource within a tract of land, resulting in a database that is as complete as is feasibly possible. Examples include most NHPA Sect. 106 surveys within an *Area of Potential Effects* (APE).

4.6.3 *Archaeological Data Recovery*

The HIARNG must consult with NHOs that may ascribe religious and cultural significance to an archaeological site. Other parties may also be interested in consulting on any undertaking that may result in the development of a data recovery plan. Under the ACHP's current regulations, this kind of action would be considered to adversely affect a historic property and the HIARNG would be required to provide notice to the ACHP as directed under 36 CFR 800.6(a)(1). This is a mitigation strategy designed to gather as much information from a site prior to destruction by the undertaking.

Data recovery includes the following:

1. Preparation of an archaeological data recovery plan;
2. Fieldwork;
3. Laboratory analysis;
4. Data recovery report;
5. SHPO concurrence with findings and recommendations; and
6. Archiving of recovered archaeological materials with the island office of the SHPO.

4.6.4 *Archaeological Monitoring*

Archaeological monitoring is utilized to minimize or avoid adverse effects to known or unknown historic properties. The HIARNG is also required to consult with NHOs that may ascribe religious and cultural significance to such a property and with other consulting parties identified through 36 CFR 800.3. This is a strategy designed to mitigate adverse impacts on unknown or unrecorded resources during completion of the undertaking. Monitoring preserves and protects resources, and includes:

1. A SHPO approved monitoring plan;
2. Fieldwork;
3. Laboratory work;
4. A monitoring report;
5. SHPO concurrence with findings and recommendations;
6. Data recovery if required;
7. All activities related to data recovery;
8. SHPO concurrence with findings and recommendations;
9. Archiving of recovered archaeological materials with the island office of the SHPD (State Historic Preservation Division).

CHAPTER 5 LEGAL REQUIREMENTS

5.1 THE NATIVE AMERICAN GRAVES PROTECTION AND REPATRIATION ACT (NAGPRA)

This act established consultation protocols with NHOs regarding sensitive issues such as the excavation or removal of human burials, and the ownership of sacred objects or objects of cultural patrimony. The act also provides for burial protection and requires that all Federal agencies conduct an inventory of these items that have been previously excavated on lands owned and/or controlled by that agency. Coordination with Native Hawaiians and NHOs is necessary for:

- The proper treatment and disposition of Native Hawaiian remains discovered on HIARNG facilities, inadvertently and/or as a result of archaeological excavations, at any time in the past, including existing collections;
- The identification of any cultural resources of traditional cultural significance; and,
- The interpretation of Native Hawaiian culture and prehistory for the benefit of visitors to the installation.

Three organizations that address and have experience in Native Hawaiian Affairs are: the Office of Hawaiian Affairs (OHA), the O‘ahu Burial Council, and Hui Malama I Na Kupuna ‘O Hawai‘i Nei. OHA was established by the constitution of the State of Hawai‘i in 1978. The volunteer O‘ahu Burial Council is the island designate of the Hawai‘i Burial Council, housed within the State Historic Preservation Division. Hui Malama I Na Kupuna ‘O Hawai‘i Nei is a nonprofit NHO incorporated in 1989 to provide guidance and expertise in cultural issues, especially those pertaining to human remains. NAGPRA defines what an NHO is, and the HIARNG will consult with groups that fit that legal description as well as with Native Hawaiians who have knowledge, expertise, or a cultural or familial association with a given area which falls under the HIARNG’s responsibility. In case any human remains or associated items of cultural patrimony are inadvertently discovered on HIARNG managed lands, the HIARNG will cease field operations and follow the guidelines set forth in SOP # 6 on page 49. Table 4 on page 38 provides a (partial) listing of NHOs, but is by no means a complete and exhaustive listing at this time. The NHOs listed in Table 4, especially the Office of Hawaiian Affairs (OHA) and Hui Malama I Na Kupuna O Hawai‘i Nei, who are named in NAGPRA, should be contacted in case human remains and associated burial items are discovered on HIARNG managed lands.

5.2 AMERICAN INDIAN RELIGIOUS FREEDOM ACT OF 1978 AND EO 13007-INDIAN SACRED SITES

This ICRMP will implement procedures to protect the right of Native Hawaiians to exercise their traditional religion and have access to sacred sites to worship through ceremonies and traditional rites. These procedures will be established through the consultation process with

NHOs, the Island Burial Councils, OHA, and others pertinent to the religious activity. Future consultation will identify sacred sites required by Native Hawaiians to exercise traditional religious ceremonies, and the installation shall provide access as needed within reasonable terms, conditions, and restrictions for such access for the protection of personnel, for safety, to avoid interference with the military mission, or for reasons of national security. The location of sacred sites will remain confidential. Impacts to these sites will be avoided and management procedures developed to ensure reasonable notice is provided to Native Hawaiians when proposed training or other actions will restrict access to these sites as set forth in an SOP in the ICRMP. If a sacred site meets the significance requirements for eligibility for listing on the NRHP under the NHPA, other compliance requirements under Section 106 consultation and the development of a mitigation plan will be undertaken.

The HIARNG has three Native Hawaiian prehistoric sites at the Keaukaha Military Reservation (KMR) facility. The Regional Training Institute (RTI) site on O‘ahu has a single, deeply buried prehistoric site. At KMR, one site is a collection of five ahu or rock cairns; one is a planting feature; and the third is a modified lava outcrop also interpreted as a planting feature. No other facilities have prehistoric Native Hawaiian sites. None of the aforementioned sites are considered TCPs.

5.3 ANTIQUITIES ACT OF 1906, ARCHAEOLOGICAL RESOURCES PROTECTION ACT OF 1979 (ARPA), AND THE ARCHAEOLOGICAL AND HISTORIC PRESERVATION ACT OF 1974 (AHPA)

These Acts protect against the removal, collection, or disturbance of archaeological resources from Federally-owned property, unless a permit issued by the U.S Army Corp of Engineers (USACE) district office is first obtained. The absence of such a permit could result in the assessment of civil or criminal penalties for such illegal activities. This ICRMP includes a management protocol for the collection and removal of paleontological resources should these resources be adversely impacted. The use of metal detectors on military installations to locate archaeological resources is prohibited except when used by HIARNG personnel, contractors, or permittees in association with cultural resources activities. Archaeological resources, objects, and scientific data gathered are the property of the installation except where NAGPRA requirements intercede. Where the land is not federally owned, all archaeological resources belong to the State or land owner. Additionally, the installation may withhold the location of certain archaeological resources from the public in order to protect such resources. The Installation Commander has ensured that the military police, installation legal staff, Public Affairs Office (PAO), and other staff are familiar with the applicable civil and criminal penalties under ARPA.

5.4 CURATION OF FEDERALLY-OWNED AND ADMINISTERED ARCHAEOLOGICAL COLLECTIONS (36 CFR 79)

The installation commander will ensure that all collections (as defined under 36 CFR 79.4(a)) are processed, maintained, and curated in accordance with those requirements, with the exception of NAGPRA cultural items which will be handled in a manner consistent with NAGPRA and 43 CFR 10. In Hawai‘i, the only federally approved facility is the Bernice

Pauahi Bishop Museum in Honolulu, and this facility is no longer accepting collections. There is an agreement between the SHPO and the HIARNG for storage (at each island's respective SHPD office) of archaeological artifacts, soil samples, botanical samples, and other archaeological materials collected while conducting cultural resources work on HIARNG lands. These collections are owned by the State, and will be available to Native Hawaiians and researchers who wish to study them. The remaining materials related to the archaeological project (field maps, field notes, photographs, draft reports, letter reports, correspondence, etc.) will be scanned onto CD-ROM, and a hardcopy and a copy of the CD-ROM turned over to the SHPD. The HIARNG will retain a CD-ROM for its records.

5.5 PRESIDENTIAL MEMORANDUM FOR HEADS OF EXECUTIVE DEPARTMENTS AND AGENCIES DATED APRIL 29, 1994: GOVERNMENT-TO-GOVERNMENT RELATIONS WITH NATIVE AMERICAN TRIBAL GOVERNMENTS

This memorandum requires consultation between the HIARNG and NHOs on a government to government basis in an open and candid manner, formally and directly between the installation commander and the representative of the NHO. This is achieved through formal written letters designating a *Coordinator for Native Hawaiian Affairs* who is authorized to continue consultation with the representative of the Native Hawaiian group or organization. Any decisions resulting from formal consultation will be formally transmitted to the Native Hawaiian group or organization by the installation commander. The HIARNG does not have a *Coordinator for Native Hawaiian Affairs*, however, the *Cultural Resources Manager (CRM)* and the *Environmental Protection Manager (EPM)* have been designated as the representatives of the installation commander to installation commanders consultation representatives in both Section 106 consultation under 36 CFR 800 and in this Presidential Memorandum.

5.6 SECTION 106 CONSULTATIONS FOR UNDERTAKINGS

The following flow chart, compiled for the ICRMP from various Section 106 reference sources (such as through the National Parks Service's Section 106 Technical Assistance Manual), presents the Section 106 consultation process for undertakings. An SOP is presented in Chapter 7 to guide consultation on a facility basis. The following information will assist in understanding the concept of an undertaking, determine significance and eligibility, and guide the installation in consultation:

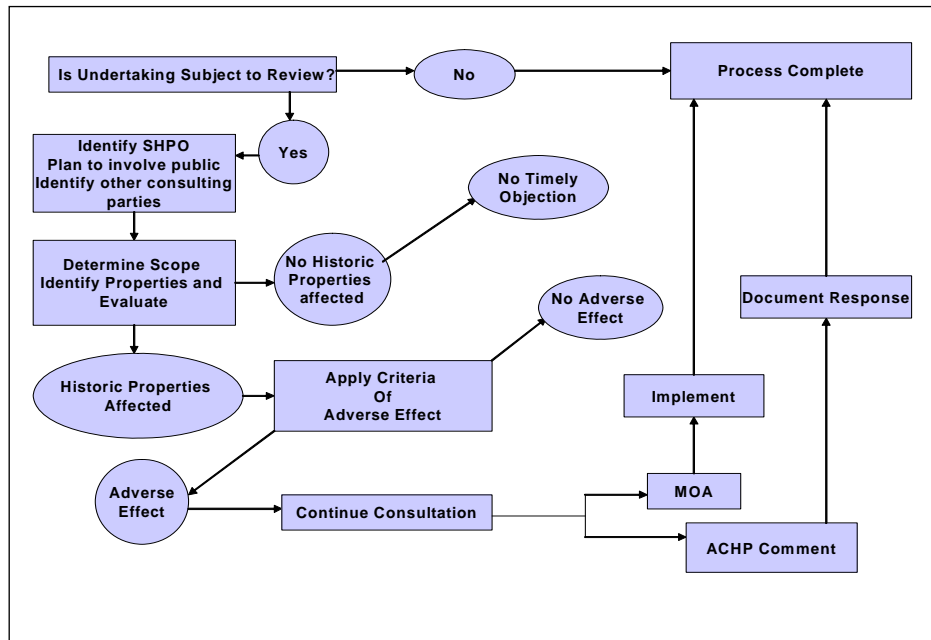


Figure 2: Flowchart-Section 106 Undertaking

5.6.1 Definition of an Undertaking

Through Section 106 Regulations, in 36 CFR 800.16, the NHPA defines an *undertaking* as any “*project, activity, or program funded in whole or in part under the direct or indirect jurisdiction of a Federal agency, and, if so, whether it is a type of activity that has the potential to cause effects on historic properties including:*

- (a) *Those carried out by or on behalf of a Federal agency;*
- (b) *Those carried out with Federal financial assistance; and*
- (c) *Those requiring a Federal permit, license, or approval.”*

5.6.2 The Four Basic Steps of the Section 106 Process

The four basic steps for complying with Section 106 are:

Initiation of the Section 106 Process (36 CFR 800.3)

This first step involves *initiating* the Section 106 Process. This requires completing the following four tasks:

- Establish whether or not the proposed action is an undertaking.
- Identify/notify the SHPO.
- Make a plan to involve the public.
- Identify other consulting parties.

For the HIARNG, successful completion of this step requires consultation with the SHPO, NHOs, and others who may be knowledgeable about the cultural resources in the area.

If it is established that the proposed action is *not* an undertaking, then there is no potential to cause effects and the process ends. If it is determined that the proposed action *is* an undertaking *and* that undertaking might affect historic properties, then the process continues to Step 2, identified below.

Identification of Historic Properties (36 CFR 800.4)

This second step involves identifying the historic properties. This requires completing the following three tasks:

- Determine the scope of identification efforts.
- Identify historic properties within the APE.
- Evaluate the historic significance of those historic properties.

Determining the APE is essential when developing the scope of identification efforts. It is necessary to review any existing information on the historic properties within the APE, including any data on possible historic properties not yet identified. Seek also information from consulting parties, individuals, and organizations likely to have knowledge of, or concerns with, historic properties in the area, and identify any issues relating to the undertaking's *potential effects* on those historic properties.

Identify historic properties within the APE by gathering information from NHOs, to assist in identifying properties which may be of religious and cultural significance to Native Hawaiians and which may be eligible for listing on the NRHP. It is important to remember that it is possible that these organizations may be reluctant to provide specific information regarding the location, nature, and activities associated with sites that hold religious and cultural significance to Native Hawaiians.

In order to evaluate the historic significance of identified historic properties, the application of the NRHP criteria (36 CFR Part 63) should be applied to those properties identified within the APE that have not been previously evaluated for NRHP eligibility (although there are instances where the passage of time, changing perceptions of significance, or incomplete prior evaluations may require a reevaluation of those properties that were previously evaluated and determined eligible or ineligible). This evaluation using the NR criteria should be done in consultation with the SHPO and any NHOs that attach religious and cultural significance to identified properties, as such NHOs are acknowledged to have special expertise in assessing the eligibility of historic properties that may possess religious and cultural significance to them. The HIARNG will use *The Secretary's Standards and Guidelines for Identification* to provide guidance on the evaluation process.

If it is determined that the NRHP criteria are met and the SHPO concurs, the property will be considered *eligible* for the NRHP for section 106 purposes. If it is determined that the criteria are not met and the SHPO concurs, the property will be considered *not eligible*. If the agency official (HIARNG's TAG) and the SHPO do not concur, or if the ACHP or the Secretary so request, the agency official the TAG will obtain a *determination of eligibility* from the Secretary pursuant to 36 CFR part 63. If an NHO that attaches religious and cultural significance to a property does not agree, it may ask the ACHP to request the TAG to obtain a *determination of eligibility*.

If the TAG finds that either there are *no* historic properties present or there are historic properties present but the undertaking will have no effect upon them, he will provide documentation of this finding to the SHPO. The TAG will notify all consulting parties, including NHOs, and make the documentation available for public inspection prior to approving the undertaking. If the SHPO or the ACHP has entered the section 106 process, does not object within 30 days of receipt of an adequately documented finding, the HIARNG's responsibilities under section 106 are fulfilled.

If the TAG finds that there *are* historic properties which may be affected by the undertaking, or the SHPO or the ACHP objects to the TAG's findings, the TAG will notify all consulting parties, including NHOs, and invite their views on any effects and assess adverse effects.

Assessment of Adverse Effects (36 CFR 800.5)

This third step involves assessing whether or not there are adverse effects to the historic properties. This requires completing the following three tasks:

- Apply criteria of adverse effect
- Finding of no adverse effect
- Consulting party review

An *adverse effect* is when an undertaking may directly or indirectly alter any of the characteristics of a historic property that qualify the property for inclusion in the NRHP. The effect would diminish the integrity of the property's location, design, setting, materials, workmanship, feeling or association, and may include reasonably foreseeable effects caused by the undertaking that may occur later in time, be farther removed in distance, or be cumulative in effect.

Examples of adverse effects include such things as: the physical destruction of part or all of the property; the alteration (restoration, rehabilitation, repair, maintenance, stabilization, remediation, and provisions for handicapped access) of a property that doesn't meet the Secretary of the Interior's standards for the treatment of historic properties (36 CFR Part 68); the removal of a property from its historic location; a change in the character of the property's use or of physical features within the property's setting that contribute to its historic significance; the introduction of visual, atmospheric or audible elements that diminish the integrity of the property's

significant historic features; the neglect of a property which causes its deterioration (except where such neglect and deterioration are recognized qualities of a property of religious and cultural significance to an NHO); and the transfer, lease, or sale of property out of Federal ownership or control without adequate and legally enforceable restrictions or conditions to ensure long-term preservation of the property's historic significance.

After applying the criteria of Adverse Effect, there can be a *Finding of No Adverse Effect*, where the TAG and the SHPO decide that the undertaking will not adversely effect the historic significance of a historic property. If the TAG proposes a *Finding of No Adverse Effect*, he will notify all consulting parties of the finding and provide them with the documentation specified in Sec. 800.11(e). The SHPO will then have 30 days from receipt to review the finding. If an undertaking's proposed action(s) may or did have an adverse effect on a historic property, mitigation can take place through an MOA prepared under the NHPA with the SHPO.

Resolution of Adverse Effects (36 CFR 800.6)

This fourth step involves developing and evaluating alternatives or modifications to an undertaking that could avoid, minimize, or mitigate adverse effects to historic properties. This process includes the following three elements:

- Continue consultation
- Resolve adverse effects
- Memorandum of agreement

As the proponent, the HIARNG must continue the consultation process. Consulting parties include the SHPO, NHOs previously identified by the HIARNG, and other parties such as neighborhood boards, commissions, and interested members of the public. The HIARNG will provide documentation and attempt to resolve the adverse effects through continuing consultation, with the goal being the development of an agreement that will negate case-by-case reviews. An MOA between the HIARNG, NGB, and the Hawai'i SHPO will invite the ACHP to participate in the resolution of adverse effects. If applicable, the HIARNG may identify other consulting parties to participate.

5.6.3 Ending Consultation due to Failure to Mitigate Adverse Effects (36 CFR 800.7)

If after consulting to resolve adverse effects (following 36 CFR 800.6 (b) (2)) it appears that those effects are inevitable, the agency official (for the HIARNG, the TAG-The Adjutant General), the SHPO, or the ACHP may determine that further consultation will not be productive nor result in a compromise and may end consultation. Any party that terminates consultation must notify the other consulting parties in writing and provide them the reasons for terminating. 36 CFR 800.7 (a) lists the specific actions to take depending on which party terminates consultation.

ACTION	RESPONSIBLE PARTY	TIME LIMIT
Determine if action is an undertaking	CRM	Prior to design or construction
Initiate formal consultation	TAG and CRM	None
Determine eligibility	CRM and SHPO	None
Apply criteria of effect	CRM	None
Assist in application of criteria	CRM	30 days from date of receipt
Determine APE	CRM and NHOs	Prior to construction phase
Determine if FNSI	CRM	None
Object/do not object to determination	SHPO and NHOs	30 days from date of receipt
Apply criteria of adverse effect	SHPO	None
Assist in application of criteria	CRM	30 days from date of receipt
Determine no adverse effect	CRM	None
Concur/do not concur with determination	SHPO (if doesn't concur then ACHP) and NHOs	30 days from date of receipt. After 30 days=foreclosure
Send determination to ACHP	EPM and CRM	None
Concur, object, propose changes	ACHP	30 days from date of receipt
Prepare MOA	CRM, SHPO and Consulting Parties	None
Send MOA to ACHP for concurrence	TAG	None
Concur, object, propose changes	Council and other consultees	30 days from date of receipt
Respond to proposed changes	HIARNG and SHPO	None
Render comment	Council	60 days
Make final decision	TAG	None
Implement agreement	FMO and CRM	None

Table 3. Section 106 Responsibilities and Time Limits in Rank Order

The ACHP may decide, after reviewing the documentation of adverse effects and consultation procedures, that it wants to provide additional comments upon an undertaking for which an MOA will be executed. The ACHP will then provide their comments to the TAG when it executes the MOA. The HIARNG will take into account the ACHP's written comments, received within 45 days, in reaching a final decision on the undertaking. Due to Section 110 requirements of the NHPA, the TAG's decision must be documented in a specified manner, which is detailed in 36 CFR 800.7 (c) (4).

5.7 NATIVE HAWAIIAN COORDINATION AND CONSULTATION

5.7.1 Definitions

Native Hawaiians: Individuals who are descendents of the aboriginal people who, prior to 1778, occupied and exercised sovereignty in the area that now constitutes the State of Hawai‘i (43 CFR 10.2).

Native Hawaiian Organization (NHO): According to NAGPRA (43 CFR 10.2), an NHO is an organization which-

- Serves and represents the interests of Native Hawaiians;
- Has a primary and stated purpose to provide services to Native Hawaiians; and
- Has demonstrated expertise in aspects of historic preservation that are culturally significant to Native Hawaiians (43 CFR 10.2).

5.7.2 Overview of Native Hawaiian Coordination and Consultation

Representatives of the HIARNG Environmental Office met with OHA to discuss the role of the Native Hawaiian community in the development and implementation of the ICRMP. OHA supplied the HIARNG with a list of organizations that could receive CD-ROM versions of the draft. OHA requested an extended period of comment from 30 to 90 days for their outer islands staff to review and send comments to the main office in Honolulu. In addition to changes made to the Draft ICRMP, a response was sent via return letter addressing OHA’s comments. OHA felt the comments were adequately addressed, and formal consultation with OHA regarding the ICRMP was complete.

All the organizations listed were contacted personally by the Cultural Resources Manager and a CD-ROM or printed copy sent to each organization. Additionally, a public notice was placed in major newspapers on the islands of Hawai‘i, Maui, Kaua‘i, and O‘ahu, advertising the availability of the ICRMP for public review and comment at the local OHA office on the islands of Hawai‘i, Maui, Moloka‘i, Lana‘i, O‘ahu, and Kaua‘i.

5.7.3 Identification of Traditional Cultural Properties and Access to Sacred Sites

Under Section 106 *Identification of Historic Properties* (36 CFR 800.4 (a) (4)), the agency official shall take steps to identify the historic properties within an APE in consultation with an NHO which attaches religious and/or cultural significance to the properties. These properties may or may not be eligible for inclusion on the NRHP.

Currently the HIARNG has no identified TCPs on any of the properties under its stewardship; however, the HIARNG will begin addressing potential TCPs on properties acquired from the Federal side through consultation with pertinent Native Hawaiian groups and individuals on each island. As there are currently no identified sacred sites or TCPs,

there is no project identified to provide coordination between the HIARNG and NHOs for access to sacred sites.

5.7.4 Limiting Cultural Resource Locational Information

During consultation with NHOs and individuals, if it is determined that it would be in the best interest of the resource that its locational information not be revealed to the general public, then every effort will be made to limit the availability of such information. This is especially important when working with NHOs to try and identify Native Hawaiian sacred sites and TCPs, as it may be in the best interest of the resource if its availability is limited in order to better preserve and protect it.

5.7.5 Native Hawaiian and Other Participation

The HIARNG has been an active consultation partner with NHOs, primarily the Office of Hawaiian Affairs, Hui Malama I Na Kupuna ‘O Hawai‘i Nei, and the island Burial Councils whose function is to assist with human remains found on state lands.

Table 4 is a list of NHOs who served as consultees in the development of this ICRMP. These organizations primarily fit the NAGPRA definition of an NHO, whose exact definition is described above in Chapter 5.7.1 of this ICRMP. It is important to note that two of the NHOs are private organizations and the other three are offices/departments of the State of Hawai‘i. Table 4 lists those NHOs who assisted in the development of this initial ICRMP, but a more extensive listing of all NHOs (by island), who could serve as consultees for the HIARNG’s cultural resources management program and as consultees for any NAGPRA issues that may occur on HIARNG facilities in the future, will be developed. Table 5 on page 39 is a list of other organizations that also assisted in the development of this ICRMP. As with the list of NHOs, the list of organizations in Table 5 is dynamic and evolving. As contacts are made, the lists of NHOs and other organizations will be updated throughout the life of this ICRMP document. All consultees were developed from HIARNG and U.S. Army contacts or they were suggested by the SHPD and other NHOs.

Organization	POC	Phone No.	Address
Association of Hawaiian Civic Clubs (O‘ahu Council)	President	_____	P. O. Box 37549 Honolulu, HI 96837
Department of Hawaiian Homelands (DHHL)-STATE	Chairperson	586-3800	1099 Alakea St., Suite 2000, Honolulu, HI
Hui Malama I Na Kupuna ‘O Hawai‘i Nei	Po‘o	_____	P.O. Box 190, Haleiwa, HI 96712
Island Burial Councils (part of the SHPD)-STATE	Cultural Programs Director	692-8026	Kakuhihewa Building, Room 555 601 Kamokila Blvd. Kapolei, HI 96707
Office of Hawaiian Affairs (OHA)-STATE	Chairperson	594-1931	711 Kapiolani Blvd, Suite 500, Honolulu, HI 96813-5249

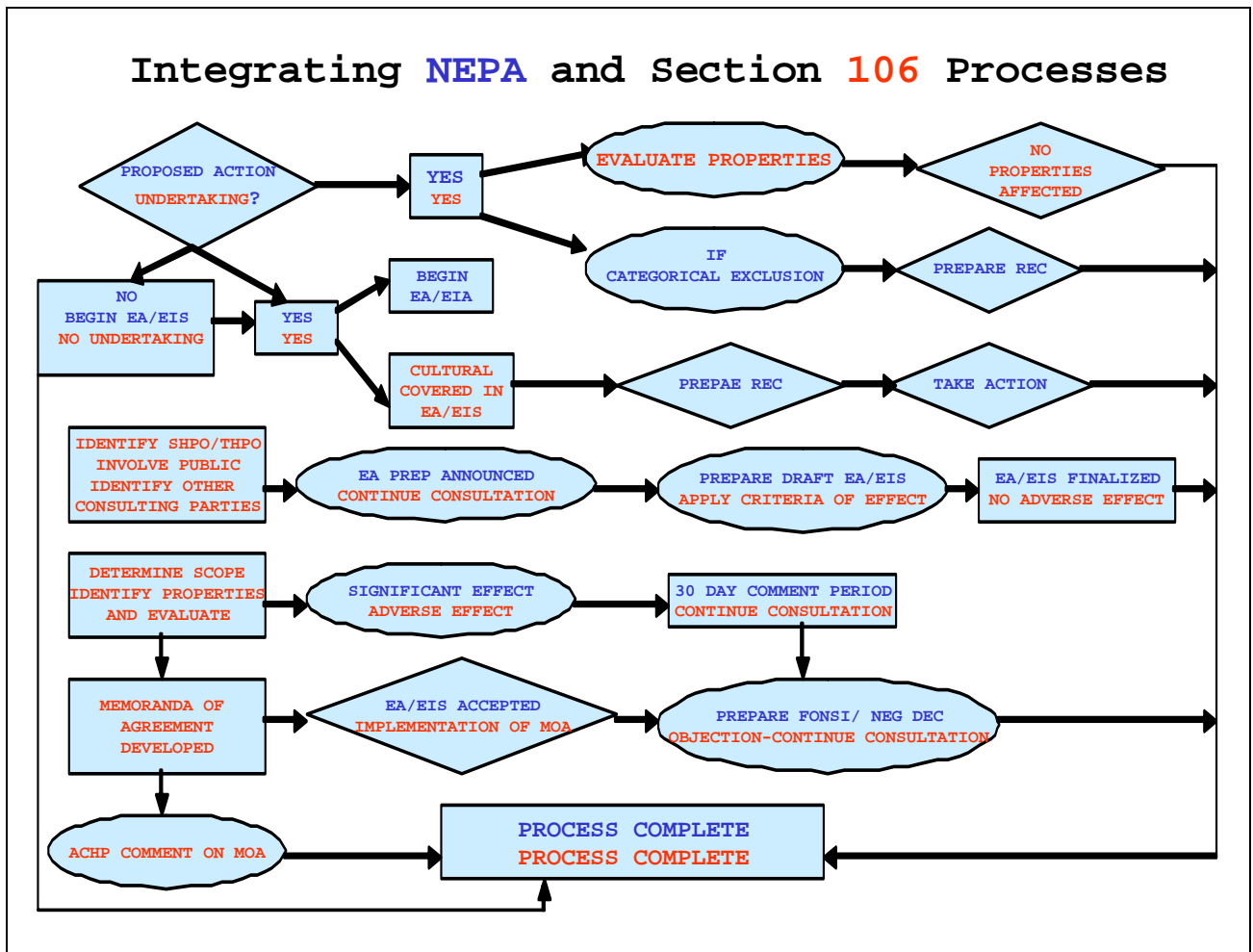
Table 4. List of NHOs for Consultation

Organization	POC	Phone No.	Address
County of Hawai‘i, Planning Department	Director	(808) 961-8288	Aupuni Center, 101 Pauahi St., Suite 3, Hilo, HI 96720
County of Kaua‘i, Historic Preservation Review Commission	Commissioner	(808) 241-6677	County of Kaua‘i, Dept. of Planning, 4444 Rice St., Lihu‘e, HI 96766
County of Maui, Maui County Cultural Resources Commission	Chairperson	(808) 270-7855	County of Maui, Department of Planning, 200 South High St., 7 th Flr., Wailuku, HI 96793
Ewa Village Community Association	Rodolfo Ramos (President)	681-3573	91-1401 Kamahoi St., Ewa Beach, HI 98706
Hawai‘i State Parks Division	Administrator	587-0300	Dept. of Land and Natural Resources, State Parks, 1151 Punchbowl St., Rm. 310, Honolulu, HI 96813
Historic Hawai‘i Foundation	President	523-2900	680 Iwilei Rd., Dole Office Building Tower, Suite 690, Honolulu, HI 96817
Makakilo/Kapolei/Honokai Hale Neighborhood Board	Maeda Timson (Chairperson)	525-5601	92-684 Nohona St., Kapolei, HI 96707
Waimanalo Neighborhood Board	President	259-7200	41-696 Kamehameha Hwy., Waimanalo, HI 96795

Table 5. List of Other Organizations Contacted

5.8 COORDINATING NEPA AND SECTION 106

The National Environmental Policy Act (NEPA) is the Federal government’s general “umbrella” environmental review law (42 USC 4371 *et seq.*). It requires review of project and program impacts on the cultural environment. Integration of Section 106 with an environmental review is required under NEPA via an EA or EIS. Compliance with NEPA does not constitute automatic compliance with other federal statutes for cultural resources management.



The above diagram, compiled from various NEPA and Section 106 sources, suggests how compliance with NEPA and Section 106 of the NHPA can be coordinated, with the goal of reaching a FNSI--a “Finding of No Significant Impact.” The figure represents the parallel actions that can be taken to satisfy the NEPA process and Section 106 concurrently. By integrating the two processes and applying certain steps concurrently, consultation and documentation can be achieved more efficiently. The NEPA steps are in blue, and the Section 106 steps are in red.

Under 36 CFR 800.8, *Coordination with the National Environmental Policy Act*, the HIARNG should consider its Section 106 responsibilities as early in the NEPA process as possible, such that consultation can be planned to meet the purposes of both statutes efficiently. The HIARNG should be prepared to consult early in the NEPA process with parties who are concerned with possible effects of the HIARNG's actions on the historic property, when the purpose for the proposed action and the range of alternatives are under consideration. Scoping for an EA/EIS should include the means for identifying historic properties and an assessment of the effects on them, including the consultation necessary to resolve any adverse effects. Even those actions categorically excluded under NEPA may still

require review under Section 106, although documentation required for the preparation of an EA/FNSI or EIA/ROD may comply with Section 106 if the HIARNG has notified the SHPO in advance. 36 CFR 800.8 (c) (1) provides the full standards for development of environmental documents that comply with Section 106 within a NEPA framework.

5.8.1 Public Involvement

Public involvement is encouraged and mandated throughout 36 CFR 800, “Protection of Historic and Cultural Properties”. Members of the general public must have the opportunity to provide input and be a part of the HIARNG’s decision-making process. For example, in 36 CFR 800.5 “Assessing Effects”, there is a mandate that members of the public receive information and be provided the opportunity to express their views. The TAG, SHPO, or the ACHP may meet with interested members of the public or conduct a public information meeting for this purpose.

The HIARNG’s ICRMP uses comments from the public and interested parties, where applicable. The names and addresses of NHOs and other parties who participated in the creation of this ICRMP are listed in Tables 3 and 4 in Chapter 6.7.5, the “Native Hawaiian and Other Participation” section of this plan. Members of the general public will receive the opportunity to review and comment on the ICRMP document in the final stages before actual implementation. They will also be informed, through direct contact with interested groups and through public notices, of any future undertaking which may have an adverse effect upon a historic property under HIARNG stewardship.

CHAPTER 6 STANDARD OPERATING PROCEDURES

6.1 INTRODUCTION

Standard Operating Procedures (SOPs) provide the steps necessary to mitigate impacts to cultural resources and historic properties. Each SOP is paired with the pertinent regulations that the facility must follow to maintain regulatory compliance. The SOPs address specific situations that are triggered by specific events, and they identify personnel, or categories of personnel, who implement the protocols for each event. Most of these SOPs relate to the repair, maintenance, and preservation of historic buildings—one refers to land transfers and one refers to the discovery of archaeological/cultural materials. The SOPs address specific problems likely to occur at the majority of the facilities covered in this plan, and will be refined over time as this document is upgraded. Future archaeological surveys will clarify the known data set for archaeological resources, so that SOPs can be created that will assist in protecting, preserving, and maintaining the integrity of the resources on the facilities.

6.2 ACTIONS LIKELY TO REQUIRE SECTION 106 CONSULTATION

- ✓ **Land Use and Training on Ranges**
 - Discovery of an archaeological site, artifact, or human remains
 - Drilling or bulldozing of any kind
 - Invasive sampling for hazardous waste
 - Road or trail clearing, repair, or replacement
 - Repair or replacement of walkways and parking lots
 - Alterations to open space patterns and heritage trees*
 - Landscape and grounds replacement
 - Clearing and grubbing
 - Land transfers, license, or permit changes
- ✓ **The Built Environment--Buildings and Structures**
 - Architectural modification of buildings over 50 years of age
 - Architectural modification of Cold War Era (1946-1989) buildings
 - Building demolition, new building construction (including fence construction), and building additions
 - Exterior/interior alterations, modification, changes (painting a structure a different color than the existing color), renovations, repairs, additions, or replacement of certain elements (such as roofing or wall material, window, door, light feature, railing, etc.) to historic buildings that could impact significant or character defining features and the structural integrity or appearance of those buildings

(*Heritage trees are mature growth trees planted as an integral part of the landscaping for the district, the removal of which would alter significantly the integrity of the building or district.)

6.3 NOTIFICATION STEPS AND STANDARD OPERATING PROCEDURES

This section presents the steps to be followed by facility personnel whenever proposed impacts may affect cultural resources. Each SOP is numbered and supported by a list of steps and a flow chart of tasks to be completed. The SOPs address the situation, the triggering event, and they identify facility personnel responsible for communicating through the chain of command or making a command decision.

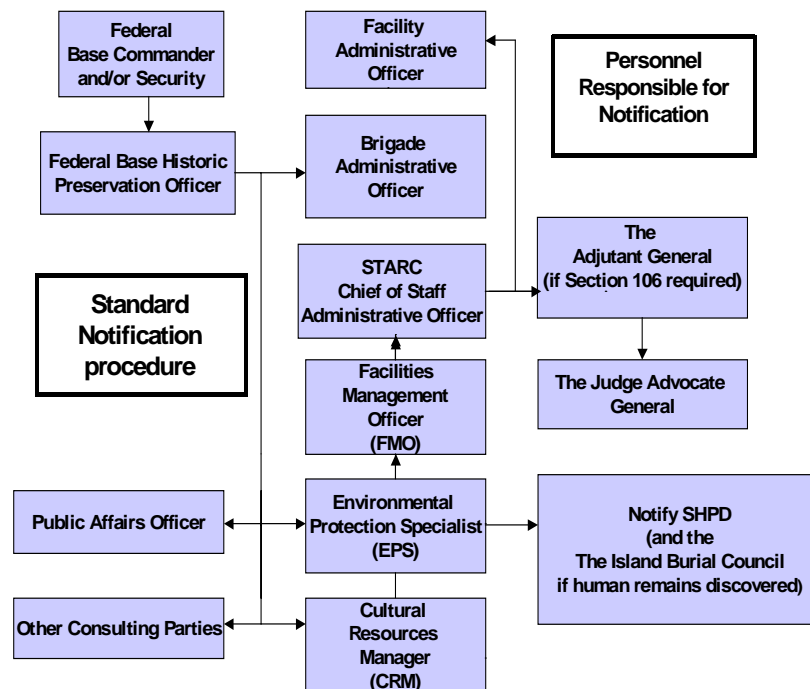


Figure 4: *Flowchart*-Notification Process

SOP #	Standard Operating Procedures	Regulatory Driver	Applicability
1	Facilities maintenance and repair	AR 200-4, NHPA	Historic buildings maintenance
2	Facilities restoration and renovation	AR 200-4, NHPA	Historic buildings repair and rehabilitation
3	Environmental remediation programs	AR 200-4, NHPA, NAGPRA, ARPA	Facilities installation restoration
4	Land transfers, acquisitions, and disposals	AR 200-4, NHPA, ARPA	Property transfers, real property activities, licensing and lease agreements
5	Inadvertent discovery of cultural materials	AR 200-4, NHPA, NAGPRA, ARPA	Field training exercises; construction and maintenance; digging, bulldozing, clearing, or grubbing; off-road traffic
6	Human remains and associated burial items	NHPA, NAGPRA, ARPA	All State or Federal undertakings where human remains and associated items are discovered
7	Soldier awareness training	AR 200-4, NHPA	All undertakings on State or Federal lands
8	Mission training	NAGPRA, ARPA, NHPA, and NEPA	All training at training areas where cultural resources exist
9	Emergency and disaster situations	AR 200-4, NHPA	Activation of the National Guard

Table 6. Standard Operating Procedures (SOPs)

6.4 **SOP #1: FACILITIES MAINTENANCE AND REPAIR**

Purpose: This SOP provides uniform guidelines for carrying out routine maintenance activities for significant historic buildings at HIARNG facilities and when conducting routine section 106 consultations. Activities that do not require Section 106 consultation are exempt.

References: AR 200-4; DoDI 4751.3; NHPA of 1966 [as amended]; 36 CFR 800.

Applies to: Facility Commanders, EOs, CRM, FMO, EPM, State maintenance personnel or contractors, tenants, users of specified historic buildings, the SHPO, and consulting parties.

Definitions: Maintenance is defined as routine activities or actions that retard a structure's deterioration or are necessary to prolong the life of significant materials and character defining elements of the structure. Maintenance also includes grounds keeping activities.

Actions:

1. Determine if the maintenance activity is in close proximity to a historic building and determine whether the activity is an action requiring consultation. Notify the EPM and the CRM prior to completing any work order or contracting any maintenance activity. *The CRM phone number is: 808-733-9089.*
2. If so, the EPM and/or the CRM will determine if consultation will occur, then will follow the steps outlined in the Section 106 consultation part of this ICRMP. The EPM or CRM will consider such measures as appropriate, and in concert with the FMO develop specific tasks in consultation with the SHPO and the maintenance personnel or contractor before performance.
3. If the work schedule is unacceptable, the FMO (with the assistance of the CRM, maintenance personnel or contractor) will develop alternatives that will eliminate or minimize adverse impacts on the cultural resource.
4. If changes to building elements are unavoidable, the SHPO will work with the HIARNG to determine what level of HABS/HAER documentation is recommended or if a lower level of documentation is acceptable and can be performed by HIARNG in-house staff. If so, the CRM will document the original condition and materials of the affected elements with drawings, photographs, and with written descriptions. An MOA will be prepared between the HIARNG, HI SHPO, and NGB. This process can take up to four months.
5. The FMO will work with the CRM to develop, maintain, and expand on a list of pre-approved maintenance and repair activities, along with a list of acceptable replacement parts if replacement parts are not available, or if the original parts cannot be repaired or reused. The HIARNG will prepare a Programmatic Agreement between the HIARNG, HI SHPO, and the NGB, outlining the pre-approved maintenance and repair activities.

6.5 **SOP #2: FACILITIES RESTORATION AND RENOVATION**

Purpose: Provides uniform guidelines when planning for the rehabilitation, restoration, renovation, demolition, or reuse of significant historic properties at HIANRG facilities and applies to both in-house and contracted work. *****This SOP specifically addresses the above described actions of Cold War Era buildings at Kalaeloa, Waiawa UTES, and Keaukaha Military Reservation (KMR).*****

References: AR 200-4; DoDI 4751.3; 36 CFR 800; NHPA of 1966 [as amended].

Applies to: Facilities Commanders, EOs, Master Planners, FMO, EPM, contractors, tenants, and users of specific historic buildings. Restoration, renovation, or demolition is an activity initiating Section 106 review.

Definitions: Rehabilitation involves the alteration of, or addition to, a historic property for adaptive reuse while retaining the property's historic character.

Actions:

1. Determine the level of need by completing a building survey.
2. Rehabilitation, renovation, and restoration are generally one-time only activities. Rehabilitation recognizes that new uses may demand an extensive interior renovation; therefore Section 106 consultation must be undertaken before any work proceeds.
3. Proposed demolition of any historic structure must be accompanied by a cost analysis and be provided to the consulting parties under Section 106 for evaluation. Notification of the EPM, FMO, and CRM will begin this process. *The CRM phone number is: 808-733-9089.*
4. Check the rest of the facility. Determine if the action will impact any other historic properties in close proximity to the significant historic building or archaeological site to determine if those other properties require inclusion in the consultation process.
5. Through consultation, the CRM, FMO, Master Planner, tenants, SHPO, and consulting parties will develop alternatives to minimize adverse effects by these activities. Once the Section 106 process is completed to the satisfaction of all parties for all the affected properties, then the demolition, renovation, or restoration activities may proceed according to the agreement or arrangement between the parties. An MOA will be prepared between the HIANRG, HI SHPO, and NGB. This process can take up to four months.
6. The CRM and Engineering Department will maintain a list of rehabilitation, renovation, and demolition activities for all facilities that no longer require Section 106 consultation. The CRM will maintain a log of rehabilitation, renovation, and demolition projects for inclusion in the ICRMP with each yearly update.

6.6 **SOP #3: ENVIRONMENTAL REMEDIATION PROGRAMS**

Purpose: This SOP provides uniform guidelines when planning for environmental remediation projects in and around significant historic properties at HIARNG facilities. This includes all proposed rehabilitation and repair projects that can potentially affect historic properties and archaeological sites, both known and unknown, during Installation Restoration Program actions, and applies to both in-house and contracted work.

References: AR 200-4; DoDI 4751.3; NHPA of 1966 [as amended]; NAGPRA; ARPA.

Applies to: Facilities Commanders, Executive Officers, FMO, EPM, Installation Restoration Program Manager (IRPM), Hazardous Waste Manager, Solid Waste Manager, FECs, CRM, maintenance personnel, and contractors.

Definitions: Environmental remediation activities that will trigger this SOP include, but are not restricted to, any type of drilling, bulldozing, invasive sampling (where earthmoving or digging is required including conducting tests on ranges or areas for hazardous waste), destruction of historic building interiors to remove asbestos, lead piping, water testing, tile and asphalt stripping, cleaning and filling of drywells, tree removal, and any other activity that may cause ground disturbance or reveal archaeological deposits, human remains, or that may impact historic buildings.

Actions:

1. The IRPM will follow all the SOPs in the ICRMP, and will ensure that compliance procedures are coordinated with remediation activities. The IRPM will coordinate with the CRM to address potential conflicts between historic preservation and other environmental remediation needs.
2. Initiate Section 106 review with the CRM where necessary should remediation activities be determined to be undertakings. *The CRM phone number is: 808-733-9089.*
3. Include provisions in contractor's SOW to provide for contractor responsibilities under ARPA and NAGPRA notification, including emergency discovery procedures, negative impacts to archaeological resources, and coordination with the CRM. The CRM will notify the SHPO and NHO as applicable.
4. The CRM will maintain a log of remediation activities, with information supplied by the IRPM, related to historic preservation to incorporate changes in the ICRMP yearly. This log will be developed by the IRPM and updated quarterly or as needed.

6.7 SOP #4: LAND TRANSFERS, ACQUISITIONS, AND DISPOSALS

Purpose: This SOP provides guidelines should any part of a HIARNG acquisition contains significant historic and archaeological resources. This also includes any facility proposed for excess, transfer, or disposal. Demolition, sale, lease, or transfer of federal property to non-federal agencies requires Section 106 consultation.

References: AR 200-4; DoDI 4751.3; NHPA of 1966 [as amended]; ARPA; NAGPRA.

Applies to: Facilities Management Officers, Master Planner, Real Property Manager, EPM, CRM, and the SHPO.

Definitions: This SOP refers to all proposed facilities, lands, property transfers, and real property activities on the installation. Real property transfers can affect training regimes, ITAM programs in Natural Resources, and Cultural Resources monitoring of sensitive archaeological sites, specifically Native Hawaiian sacred sites, burial areas and caves, and TCPs.

Actions:

1. The project proponent (Real Property Manager, Master Planner, FMO, and any personnel involved in the transfer, disposal, or acquisition of property) will submit for review to the CRM all proposals and plans for acquisition, excess, transfer, or disposal of any part of HIARNG property to determine the affect on significant cultural resources on said property. The Real Property Manager and Master Planner will contact the CRM in the beginning stages of the project. *The CRM phone number is: 808-733-9089.*
2. The FMO will coordinate Section 106 consultation with the SHPO, and the ACHP if necessary, under the provision of an undertaking as set out in Section 106 of the NHPA.
3. The HIARNG will include protective covenants in consultation with the SHPO, NHOs, or the Island Burial Council for the cultural resources in the conveyance document for all federal property.
4. The CRM will maintain a log pertaining to land excess, land transfer, and/or disposal actions for cultural resources to incorporate changes to the ICRMP yearly. This log will be updated by the CRM in conjunction with the Real Property Manager in the Facilities Management Office on a quarterly basis.

6.8 **SOP #5: INADVERTENT DISCOVERY OF CULTURAL MATERIALS**

Purpose: This SOP outlines the steps to be taken upon inadvertent discovery of cultural resources.

Reference: AR 200-4; DoDI 4751.3; ARPA; NHPA of 1966 [as amended]; Antiquities Act of 1906.

Applies to: POTO, Installation maintenance, EPM, Range Control, Unit Commander and Environmental Liaison, ITAM, Environmental Unit Command Officer, Public affairs, Joint Forces, Unit/Activity Personnel and Tenants.

Definitions: Typical actions that may trigger these requirements include such things as: field training exercises; construction and maintenance; digging, bulldozing, clearing, or grubbing; off-road traffic; and general observations, which include such things as eroded areas, gullies, trails, etc. Discovery of the following items will trigger the requirements of this SOP: Native Hawaiian or historical artifacts; archaeological features; and paleontological remains. The discovery of known or likely human remains (along with any associated funerary objects and burial items) and the presence of unmarked graves are to be handled separately through the procedures outlined in SOP #6.

Actions:

1. Upon discovery of archaeological resources on State owned, leased or occupied HIARNG facilities, all activity, training, and construction in the immediate vicinity of the discovery will cease, and a buffer zone clearly marked to prevent continued activity from impacting the discovery area. Archaeological resources are defined as:
 - *Prehistoric Hawaiian cultural resources*, primarily stone structures known to exist in Hawai'i. These include mounds, large and small stone temples (heiau), rock walls, platforms, rock enclosures, and C-shaped enclosures. Other prehistoric Hawaiian sites include modified features such as lava blisters, tubes, or caves; modified rock outcrops; rock shelters; stone circles; stone terracing in gulches, streambeds, and on hillsides; stone paving; planting areas; and lined ditches. Artifact scatters consisting of modified fine-grained vesicular basalt primarily in the form of flakes, adze blanks, adzes, worked shells, and shell midden.
 - *Early post contact and early historic Hawaiian cultural resources* include coral lime processing sites; former taro growing plots called *lo'i* that consist of swampy areas defined by basalt lined edges; fishponds defined by cut coral block walls extending from sandy beach heads into quiet lagoons; cattle and pig enclosures constructed of rock walls; sugar cane agricultural features that include old sugar cane workers camps with features such as bottle dumps and artifact

scatters of buttons and Asian ceramics; lined reservoirs and channels; metal siphons; wooden railroad trestles that cross gulches and span ridges; graded dirt railroad beds; concrete house pads; wooden cabins; Japanese, Chinese or Korean cemeteries; wells, pump houses, and concrete and redwood water flumes.

- WWI and WWII sites and buildings consisting of concrete bunkers, pillboxes, pads, batteries, tunnels, and roads. Metal artifacts include large and small artillery pieces, ordnance, personal gears, historic trash, and other artifacts consisting primarily of bottle dumps and personal items.

2. *Immediately* institute notification procedures in accordance with the *Notification Process Flowchart* (Figure 4) on page 42 in Chapter 6.3. *The CRM phone number is: 808-733-9089.*
3. If resources are found on a federal installation then the CRM or on-site personnel, under the direction of the Engineering Office, is required to notify the Base Commander and/or Base Security.
4. If a Programmatic Agreement to govern the actions taken during implementation of an undertaking is not in place (the Monitoring Plan), then Section 106 consultation procedures will be followed. All actions will include reasonable efforts to avoid, minimize, or mitigate adverse effects to the archaeological remains until a plan can be developed between the HIARNG and the SHPO and other consulting parties. ITAM program monies are useful in mounting protective ARPA signage, and other signage for soldier education and awareness about the protected resource. ITAM programs for protective measures against continuing erosion and damage from natural disasters such as tsunamis, winter storm runoff, and hurricanes can be part of the PA for protection of the resource.
5. An evaluation of the age and affiliation of the cultural remains will be made by the CRM or a professional archaeologist, or in consultation with the staff of the SHPO *before* work or training can continue in the area of the resource.
6. In consultation, if the HIARNG, the SHPO, and Native Hawaiians agree that archaeological remains/deposits are valuable solely for the scientific, prehistoric, historic, or archaeological data, the HIARNG may comply with the Archaeological Resources Protection Act (ARPA) instead of Section 106. This will protect the resource while ending consultation.

6.9 **SOP #6: HUMAN REMAINS & ASSOCIATED BURIAL ITEMS**

Purpose: To prevent disturbance of human remains that may be Native Hawaiian from HIARNG activities, as well as illegal excavation, vandalism, desecration, or other impacts on HIARNG lands unrelated to its activities. Excavations (intentional or not) of NAGPRA related items (human remains and associated burial items) will not take place unless the specific procedures outlined in NAGPRA for “Intentional Excavations” are followed.

References: NAGPRA, ARPA, NHPA

Applies to: Base Commanders and Eos, TAG, JAG, FMO, EPS, and the CRM.

Definitions: Applies to all undertakings whether on State or Federal lands, and includes new construction, grading, training, or other environmental projects.

Actions:

1. Signage will be posted in training areas and other facilities for military and non-military users of HIARNG facilities, to inform them about the penalties of impacting Native Hawaiian archaeological and burials sites.
2. Human remains and funerary objects will not be disturbed or excavated unless threatened by imminent destruction through erosion, construction activities, or other unavoidable disturbances.
 - Ownership of the human remains and/or funerary objects will be determined in consultation with Native Hawaiians and Native Hawaiian organizations (NHOs), and the Federal landowner will follow NAGPRA policy and guidelines. Removal will be conducted with dignity and respect by trained archaeologists following standard archaeological methodologies attempting 100% recovery. The remains will be protected from the elements and from vandalism prior to removal.
3. Provide notification, in writing and by telephone, to the base commander and the Federal landowner if the remains are on Federal property. NAGPRA does not apply on State property, however, under Hawai‘i law, (Hawai‘i Revised Statutes), the HIARNG must notify the SHPO and the Island Burial Council to confirm emergency discovery of Native Hawaiian remains.
4. Coordinate with NHOs and the SHPO to develop and implement a *Burial Treatment Plan*. If a burial treatment plan exists, implement the plan.
5. If the remains are located on federal property, ensure that activities at the find locality may resume following the NAGPRA mandated 30 days, or after passage of a predetermined period as laid out in the *Monitoring Plan* or *Burial Treatment Plan*.

6.10 **SOP #7: SOLDIER AWARENESS TRAINING**

Purpose: This SOP provides guidance awareness training and implementation of the ICRMP within the installation.

References: AR 200-4; DoDI 4751.3; DoDI 4041; NHPA of 1966 [as amended].

Responsible Parties: Responsibility for initiating this SOP lies with the G3, the CRM, and the EPM, through participation in the installation planning process. Once awareness training is completed, the FECs are responsible for training others at their facility.

Definitions: This applies to all environmental personnel at all facilities within the installation.

Actions:

1. Meet with the G3 staff at Ft. Ruger JFHQ, to briefly introduce the CR program and the ICRMP. *The CRM phone number is: 808-733-9089.*
2. Arrange through the G3 to bring the FECs to the Regional Training Institute at Bellows, or to the Waiawa RTSM, both located at Federal facilities on O‘ahu, for a one half to a full day of training in the implementation and use of the ICRMP. The training will include:
 - A brief overview of the rules and regulations governing the plan
 - Notification charts and responsibilities—when to call the EPM, the FMO, or the CRM
 - A brief review of the Section 106 Process and what an undertaking is
 - How to use the SOPs and distribute jobs
 - How to use the building check list
 - Review of their facilities, and a check for data errors for each facility for the next update—get the soldier’s input
 - What’s next for them and what do they want to see in the next plan
 - What will be happening in the out years

6.11 **SOP #8: MISSION TRAINING**

Purpose: This SOP shows how HIARNG trainers will integrate cultural resources awareness and procedures into military training, such as when conducting field training exercises.

References: NAGPRA, ARPA, NHPA, and NEPA on federal lands.

Applies to: All HIARNG and other military units that use HIARNG training sites and facilities for field training exercises.

Definitions: Applies to all training related exercises. Examples of typical triggering events include the planning and scheduling of field training exercises, expansions of training areas, and major changes in types and locations of training exercises.

Actions:

1. The CRM, ITAM Manager, and FMO will meet with the G3 staff, to discuss what locations will be used for training and during what time periods, and to ascertain any significant changes to routine training area use. *The CRM phone number is: 808-733-9089.*
2. Based on the information gathered, the CRM will inform of any cultural resources within the footprint of the training area to the G3 and all applicable parties. Any highly sensitive cultural resources within the training area will be designated via GIS maps, to possibly include such collateral actions as roping off such resources to prevent inadvertent impacts as the result of soldier training exercises.
3. Written information, supplied through training (flash) cards and written cultural awareness training briefs, will be provided to unit commanders and FECs. If necessary, on site briefings prior to commencement of mission training by CR staff and the ITAM Manager to unit commanders and soldiers will be provided.
4. Information regarding SOPs #5 (dealing with the inadvertent discovery of cultural materials) will be included with cultural awareness training materials as well. Procedures for actions to undertake upon discovery of unknown cultural resources and for any impacts to known cultural resources will be addressed in these SOPs.

6.12 **SOP #9: EMERGENCY AND DISASTER SITUATIONS**

Purpose: This SOP provides guidelines in the event of a major national disaster, imminent threat to national security, or a civil defense emergency.

References: AR 200-4; DoDI 4751.3; NHPA of 1966 [as amended].

Responsible parties: Responsibility for initiating SOP #8 lies with the Adjutant General (TAG).

Definitions: This applies to all emergency situations in which the National Guard may be activated, including natural disasters, acts of God, and civil unrest.

Actions:

1. If the HIARNG is responding to a disaster or emergency declared by the President of the United States, or the governor of the state of Hawai‘i, 36 CFR 800.12 will be implemented. Immediate rescue and salvage operations conducted to preserve life or property are exempt from Section 106, otherwise the HIARNG should implement 36 CFR 800.12 (b)(2), reducing the comment period to seven days. The HI SHPO and NHO (as applicable) will be contacted. It is the National Guard Bureau's responsibility to contact the Advisory Council on Historic Preservation. Under Section 106 (36 CFR 800.12([a])) of the NHPA, during consultation the HIARNG is encouraged to develop procedures for taking into account historic properties during emergency operations. The HIARNG is encouraged to develop a Programmatic Agreement with provisions, or consult with NHOs and the ACHP, with an opportunity to comment within seven days.

CHAPTER 7 MANAGEMENT PLAN IMPLEMENTATION SCHEDULE

7.1 FIVE-YEAR MANAGEMENT PLANS

Management plans for cultural resource investigations at HIARNG facilities consist of goals designed for implementation within the first period covered by this ICRMP (2006 to 2010). The following table shows the *Goals/Needs Assessment for the first Five-Year Period (2006-2010)* for creating goals and expanding the SOPs according to these goals/needs.

BY FACILITY	GOALS FOR 2006-2010
FT. RUGER	Garner grants to repair and maintain Battery Harlow. Complete the Mitigation Plan in FY07 for the Abandonment of Ft. Ruger in FY10.
KALAELOA, PU'UNENE MCRC	Assess Cold War resources and prepare a PA for Kalaeloa. Design mitigation plan for destruction of pads and WWII remnants at Pu'unene.
KMR, KALAELOA	Complete inventory surveys and design protection measures and educational initiatives for archaeological sites.
KMR, KALAELOA, FT. RUGER HISTORIC DISTRICT, KEA'AU ARMORY	Define site boundaries of archaeological sites, and map using GIS; complete <i>archaeological inventory level surveys</i> of facilities not surveyed or only partially surveyed. Kea'au Armory to be completed in FY09 and FY10.
KMR, KAUNAKAKAI ARMORY	Prepare plan for restoration of cannon at KMR in FY07. Prepare protective enclosure for display of the cannon IAW the MOA in FY07.
KMR, WAIAWA UTES, FT. RUGER HISTORIC DISTRICT, KALAELOA, PU'UNENE MCRC, KAUNAKAKAI ARMORY	Complete functional evaluations for features and historic buildings to determine NRHP eligibility, beginning with KMR and Waiawa UTES in FY06, and Ft. Ruger and Kalaeloa in FY07.
BY STAFF/MISC	GOALS FOR 2006-2010
ALL STAFF, TRAINERS, GUARDSMEN	Educate HIARNG and user groups of the cultural resources present at facilities and LTAs to mitigate any impacts during training and other activities. Provide on-going training in historic preservation and archaeological resource protection to HIARNG personnel in the form of cards, posters, and through EQCC meetings. Produce field cards for use by commanders and Guardsmen to identify sensitive cultural resources in the field.
EQCC, FMO STAFF, ALL FECs	Fully disseminate the ICRMP to each facility. This includes briefing all staff and commanders; review SOPs with each facility.
NGB	Distribute copies of all past and future cultural resources reports to NGB.
REAL PROPERTY, FMO	Work with the Real Property Officer to determine lease and landholding agreements such that EAs can be completed and RODs prepared for training.

Table 7. Goals for the first Five-Year Period (2006-2010)

The following table shows *Goals for Five-Year Periods beyond 2010* according to these needs. The table reflects the projects that are required to meet basic compliance with the NHPA, AR 200-4, DoDI 4751.3, ARPA, AIRFA, EO 13007, and other preservation regulations.

ALL FACILITIES	Monitor archaeological sites to assess the need for mitigation based on training impacts, erosion, or other causes of degradation.
ALL FACILITIES	Biannually update the database of cultural resources.
ALL FACILITIES	Biannually survey all armories about to turn 50 years old.
KEA'AU ARMORY, KMR, BELLOWS RTI, KALAELOA	Begin and maintain (yearly) a <i>site monitoring program</i> to protect burial sites, TCPs, and Native Hawaiian archaeological sites.
KEA'AU ARMORY, KMR, KAUNAKAKAI ARMORY, BELLOWS RTI, FT. RUGER, KALAELOA	Provide signage (yearly) for selected historic and prehistoric sites and structures at HIARNG facilities.
KMR	Survey for Native Hawaiian resources, including TCPs and sacred sites. Meet w/NHOs to ascertain.
KMR, BELLOWS RTI, KALAELOA, WAIAWA UTES	Using GIS technology, aerials, and results from archaeological investigations, refine the archaeological sensitivity map.

Table 8. Goals for Five-Year Periods beyond 2010

7.2 PROJECTS PLANNED FOR YEARS 2006-2010

The following table lists projects to be supported by monies from FY 06 to FY10. They are listed in order of priority for compliance with historic preservation. Funding requirements have been provided to NGB separately.

YEAR	FACILITY	ACRES	DESCRIPTION	RESPONSIBILITIES
06	All	N/A	Historical Context Survey	Contractor
06	Waiawa	19 acres	Architectural Evaluation	Contractor
06 - 08	KMR	10 acres	Site 23273 Assessment	Staff/Contractor
06 - 08	KMR	50 acres	Historic Building Assessment	Staff/Contractor
06 - 10	All	N/A	Archaeological and Historical Mitigation	Staff
06 - 10	KMR	100 acres	Inventory Survey	Contractor
07	Kaunakakai, KMR	N/A	Preservation./Display Plan and Display of Historic Weaponry	Staff
06 - 10	All	N/A	Consultation (ICRMP)	Staff/Contractor
06 - 10	All	N/A	ICRMP Update	Staff/Contractor
07 - 10	All	N/A	Site Monitoring	Staff
07 - 10	All	N/A	Archaeological Site Assessment	Contractor
07 - 10	Ft. Ruger	Battery Harlow	Cultural Awareness	Staff/Contractor
07 - 10	Ft. Ruger, Kealakekua	35 acres	HABS and Building Assessment	Staff/Contractor
08	Kalaeloa	13 bldgs.	Building Assessment and Plan	Staff/Contractor
09,10	Ft. Ruger	70 acres	Mitigation for Abandonment	Contractor
09,10	Kea'au	3 acres	Cemetery Assessment	Staff

Table 9. Projects Planned for 2006-2010

7.3 DESCRIPTIONS OF PROJECTS BY ISLAND AND FACILITY

The following projects have been identified for each island based on Table(s) 7 and/or 9. Impacts to training will be minimal as these projects will be conducted during off-training periods and during periods when impacts to the resources will be minimal.

7.3.1 *Island of Hawai‘i*

- **Kea‘au Armory**

1. Conduct historic and ethnographic research to determine the origin of the cemetery.
2. Map the remaining graves, conduct stone rubbings if possible.
3. Mount ARPA signage and institute site monitoring.

- **Kealakekua Armory**

1. Evaluate the Quonset Huts and the MVSB (Motor Vehicle Storage Building) facility only if slated for demolition. Other evaluations for repair or maintenance will result in further consultation under Section 106.

- **Keaukaha Military Reservation (KMR)**

1. Evaluate the condition of buildings for restoration and for historical significance to determine eligibility to the NRHP.
2. Institute a restoration study for the two 47mm cannon.
3. Develop a buffer zone around State Site 21771 that includes signage and a path for access.
4. Continue *reconnaissance* and *inventory level surveys* on the remaining acreage.

7.3.2 *Island of Kaua‘i*

- **Kekaha Firing Range**

1. Complete a subsurface inventory survey of areas of range slated for expansion.
2. Work with the Kaua‘i Guard and other environmental staff to reduce erosion, prevent trespassing, and provide monitoring of sand dune locations.

7.3.3 *Island of Maui*

- **Maui Consolidated Readiness Center [MCRC] (formerly Pu‘unene NAS)**

1. Develop a plan under consultation for mitigation of impacts to pads and historic resources under 36 CFR 800 for move to MCRC.

- **Paukukalo OMS #3**

1. Evaluate the Quonset huts when they are to be demolished prior to move to MCRC.

7.3.4 *Island of Molokaʻi*

- **Kaunakakai Armory and OMS #4**

1. Develop a plan for an enclosure for the Molokaʻi Cannon and a maintenance plan to prevent deterioration of the cannon.

7.3.5 *Island of Oʻahu*

- **Ft. Ruger (JFHQ)**

1. Complete a Mitigation Plan for the abandonment of Ft. Ruger, which includes redrawing the historic district boundaries to reflect the remaining features of Ft. Ruger, including the HIARNG compound. Use GPS to locate and plot the remaining features of the former base for inclusion on new base map.
2. Have Battery Harlow declared a *Civil Engineering Monument*. Garner grants to continue mounting of ARPA signage, explanatory signage for tours, set-up displays, and perform limited repairs and maintenance.

- **Kalaeloa**

1. Develop protective measures and signage for the sinkholes, including a barrier to prevent falling into the deepest sinkhole, and an archaeological investigation to determine the nature and extent of cultural materials, if present.
2. Preserve and protect Buildings 117, 282 and other Cold War resources through an assessment.

- **Regional Training Institute (RTI), Bellows Air Force Station (Bellows AFS)**

1. Hand clear/remove invasive plants on revetments and repair gunnite in revetments for possible adaptive reuse as amphitheaters. Possible plant native species on revetments, and mount signage of the history of the base and the revetments for educational and protective purposes.

CHAPTER 8 OVERVIEW OF CULTURAL RESOURCES AT HIARNG FACILITIES



Figure 5: Location Map-HIARNG Facilities

ISLAND OF HAWAI'I

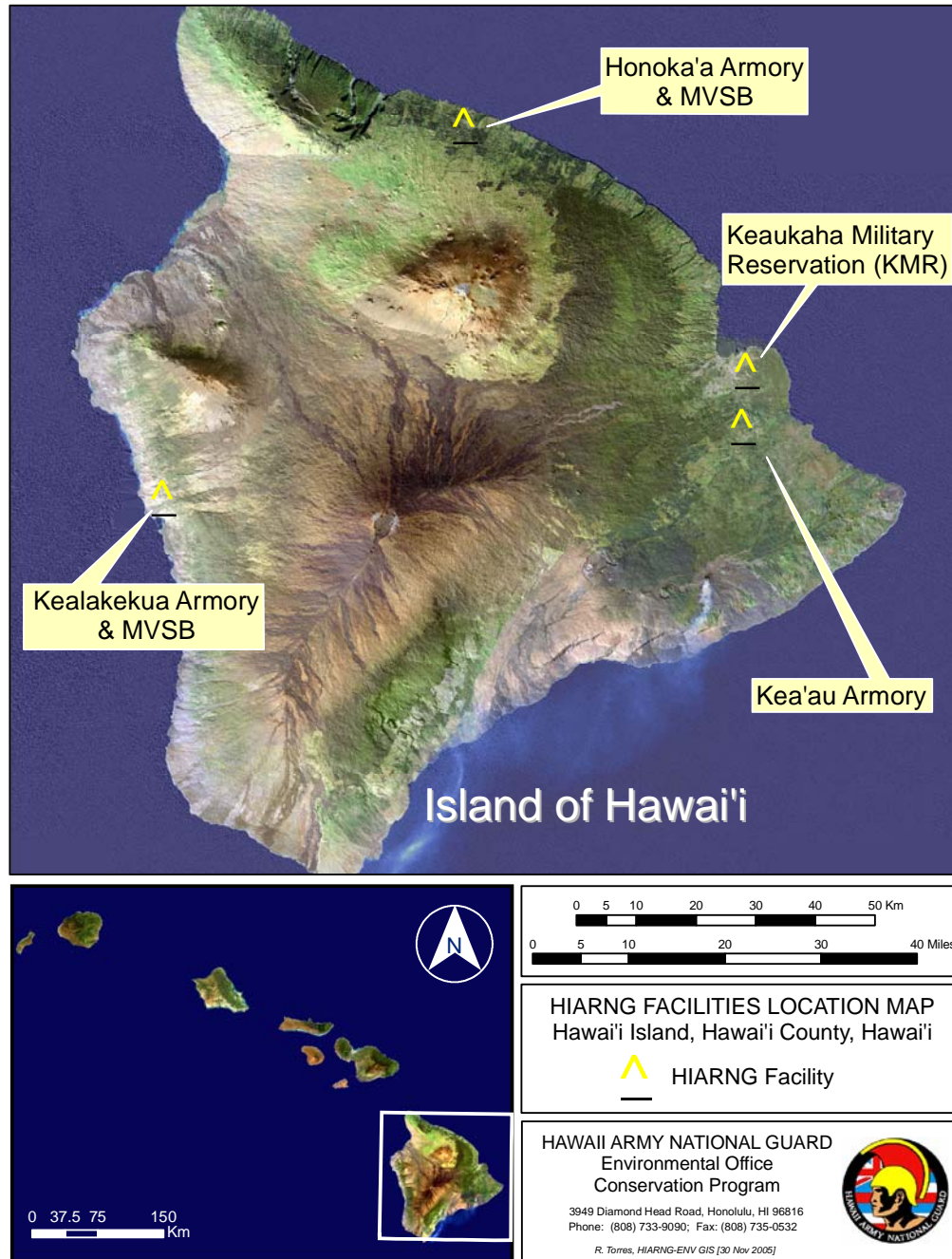


Figure 6: *Geographic Map-Island of Hawai'i*

8.1 ISLAND OF HAWAI‘I

8.1.1 Honoka‘a Armory & MVSB

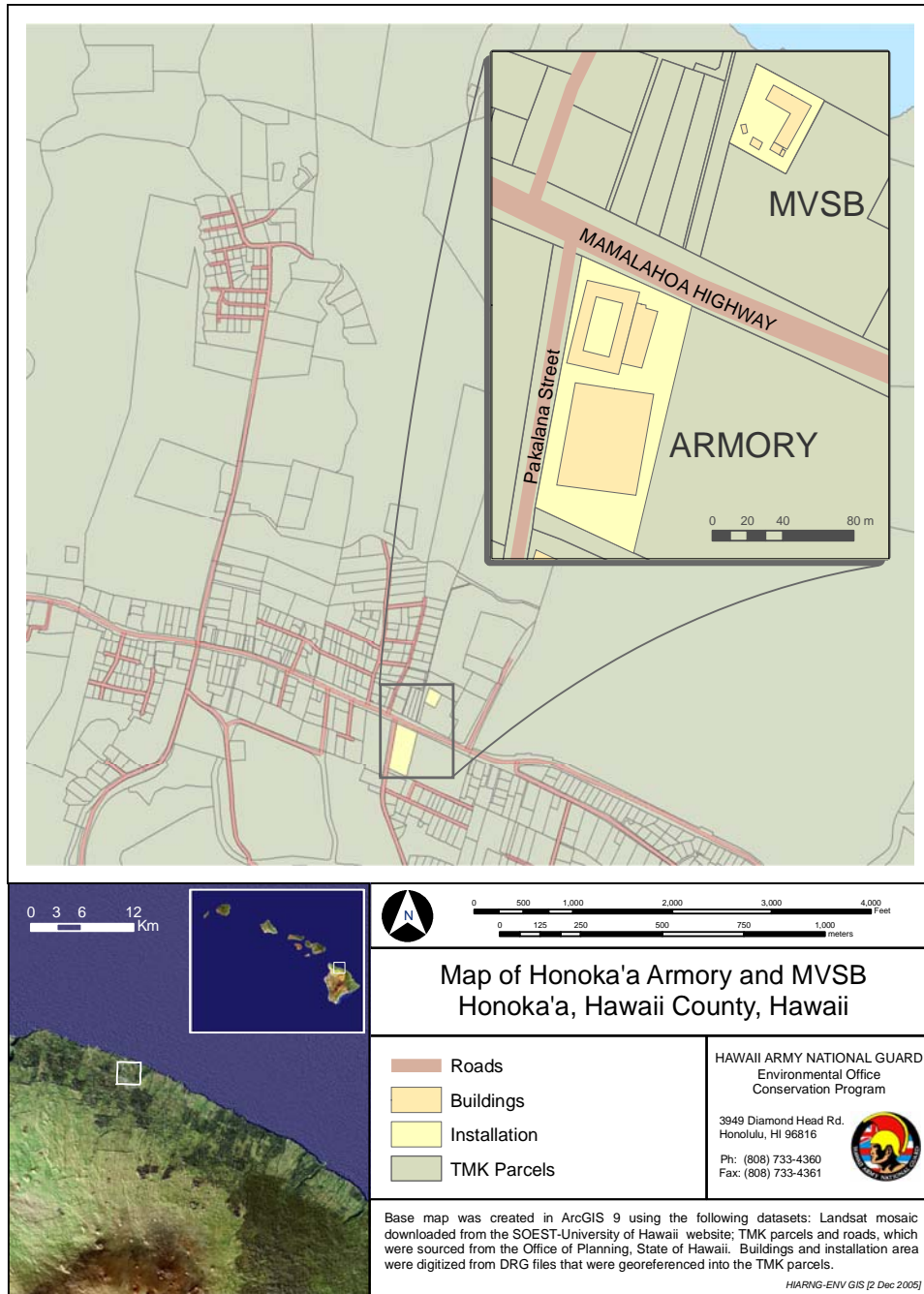


Figure 7: Facility Map-Honoka‘a Armory and MVSB

District: Hamakua **County:** Hawai‘i **Town/Area:** Honoka‘a

PRIDE Installation Code: 15A15

TMK #: 4-05-06: 71

Ownership: State

Total Acreage: 4.20 (Armory=1 acre; MVSB=20, 717 sq. ft.)

Structures/Buildings: Armory (16,040 sq. ft., built in 1965); MVSB (4,500 sq. ft., built in 1950); FMS (144 sq. ft., built in 1950); Diesel Station Shed (for Above Ground Storage Tank, AST, built in 1991).

- **Facility Historic Background**

This facility is located in the town of Honoka‘a, in the *ahupua‘a* of Paelea, in the Hamakua district, on the island of Hawai‘i. There has been little archaeological work conducted in the Honoka‘a area; however, previous work suggests that prehistoric land use in the general region focused on the upland areas above the towns and within the gulches where rainfall was plentiful. Native Hawaiian sites include agricultural terraces, mounds, houses, and religious structures near main trails through the *ahupua‘a*. Historically, the Hamakua Sugar Company planted most of the land around Honoka‘a in sugar cane.



Figure 8: Photo-Honoka‘a Armory

- **Facility Description**

The facility lies on one acre adjacent to the Honoka‘a Elementary and High Schools. It includes a One-Unit Armory, and across the street are an MVSB, two sheds, and a temporary building (portable storage housing). The HIARNG acquired this property in 1930 from the Department of Public Instruction/State of Hawai‘i, after the HIARNG outgrew the old facility located in an Elephant Quonset next to the MVSB. The armory was constructed in 1965; the motor vehicle storage building (MVSB) and flammable materials storehouse/shed (FMS) in 1950; and the diesel station shed (housing the AST) was constructed in 1991.

- **Description of Cultural Resources**

Historic Properties: The MVSB is a large open-sided structure with a metal roof located within a fenced enclosure. It is located across the street from the armory on the down sloping side of the town, next to a small Public Health building, and down slope from the police and fire barracks. The Elephant Quonset (formerly occupied by the HIARNG) is now the property of State maintenance. All of the buildings are located on the terracing cut directly into the steep-sided basalt cliffs, and the entire area is paved.

Prehistoric Properties: No prehistoric or historic sites were encountered during the construction of the Armory or the MVSB facilities, and there are no known prehistoric sites in the area. No soil matrix that might contain archaeological sites or burials is present. The armory is located in the center of the town, and because of its location, archaeological deposits or sites are not present.

Previous Work: Several small *pedestrian surveys* for the area immediately around this portion of town revealed no sites or sites related to sugar cane agriculture.

Sensitivity Analysis: *Low Sensitivity* applies to areas where there is a low probability of archaeological sites. This classification applies to all portions of the facility.

- **Preservation and Mitigation Strategies**

The facility lies in the center of town and the MVSB lies on a manmade asphalt terrace. Due to its location in an urban location, the young age of the buildings, and the low sensitivity classification, there are no preservation or mitigation procedures required for this facility.

- **Standard Operating Procedures (SOPs)**

In the event of an emergency or natural disaster, refer to SOP #8 to prevent any damage to the existing MVSB.

8.1.2 Kea'au Armory

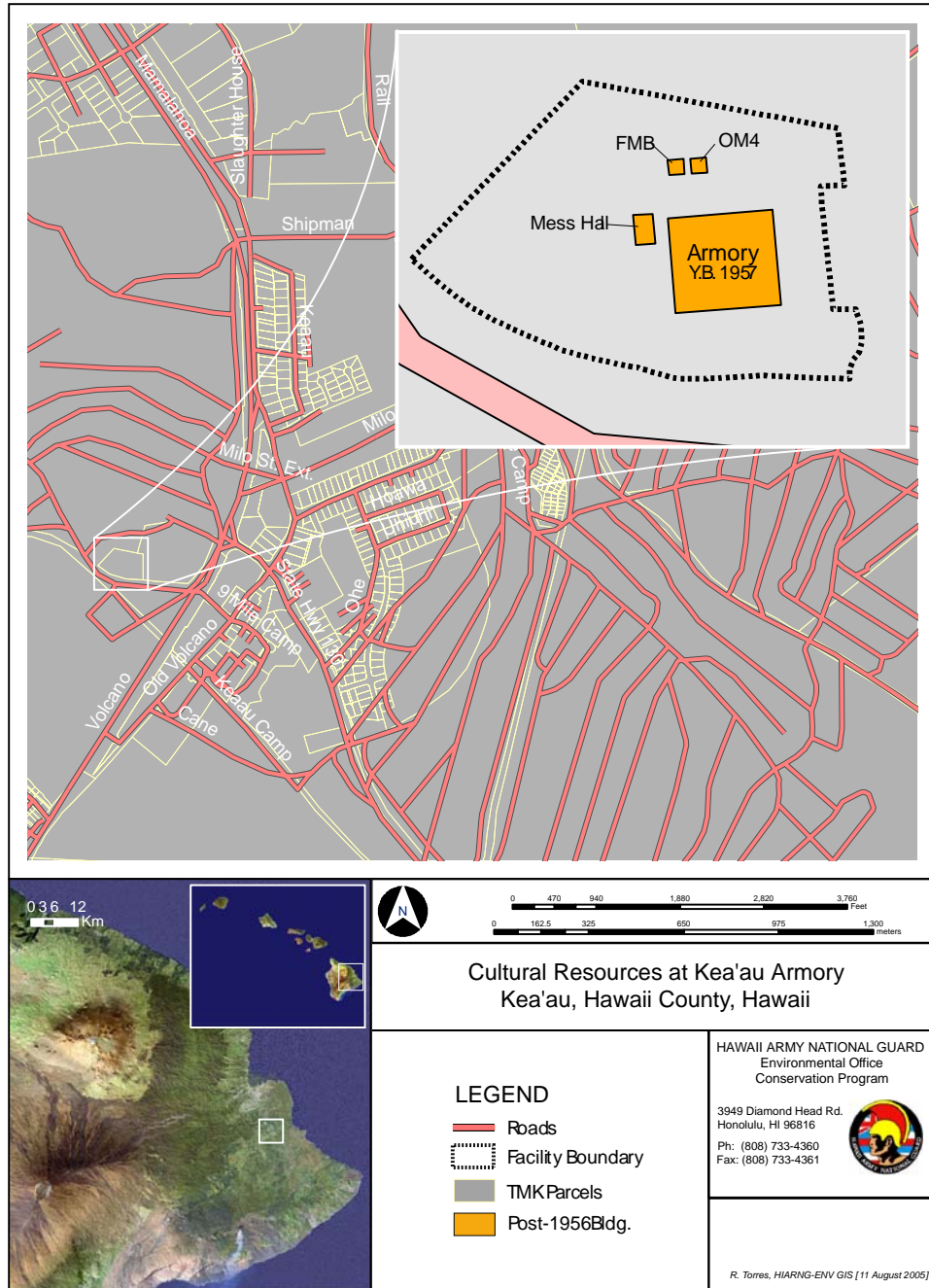


Figure 9: Facility Map-Kea'au Armory

District: Puna **County:** Hawai'i **Town/Area:** Kea'au

Pride Installation Code: 15A55

TMK #: 1-06-03: 58

Ownership: State

Total Acreage: Three

Structures/Buildings: Single Unit Armory (11,893 sq. ft., built in 1957); Mess Shelter-Building #24 (440 sq. ft., built in 1985)

- **Facility Historic Background**

The Kea'au Armory is located in the town of Kea'au, in the *ahupua'a* of Kea'au, in the Puna district, on the island of Hawai'i. The facility lies in abandoned sugar cane fields owned by the Shipman Company, and near residences for the town of Kea'au. The Shipmans have owned the property since 1885; in 1899 they leased the property to Ola'a Sugar for 40 years. Between 1900 and 1905, the sugar company built a railroad, a mill, language schools, and a cemetery. Kea'au town is the former Nine Mile Camp, a company town for cane plantation workers. The access road to the parcel is the old Waiakea Consolidated Railroad right-of-way.

Built in the early 20th century, the railroad extended from Hilo, up the slopes of Mauna Kea, to the town of Volcano. The train hauled cane to Ola'a Sugar's Waiakea Mill, located just outside Hilo, for processing and later for passengers up to Kilauea Volcano. The railroad closed in 1948, Ola'a Sugar became Puna Sugar Company, Ltd., in 1960, and then Puna Sugar ceased operations in 1982. Most of the archaeological sites recorded on nearby lands are associated with early historic sugarcane field clearing activities.



Figure 10: Photo-Kea'au Armory

- **Facility Description**

In 1956, the State condemned three acres originally belonging to the W.H. Shipman Company. The facility consists of a one-unit armory built in 1957, a mess shelter built in 1985, and a flammable materials storehouse built in 1986.

- **Description of Cultural Resources**

Historic Properties: A reconnaissance-survey of the parcel in 1985 resulted in an extension of the access road along the old railroad right of way (ROW) to the north, allowing access to the back of the property. An *historic cemetery* is located on the flat above the swale between the railroad ROW and the edge of the swale. The cemetery dates to the 1880-1890's, and likely contains the remains of Chinese workers from the 8 ^{1/2} Mile workers camp for the Ola'a Sugar Company that had been located along the railroad right of way north of the facility. It has been alleged that the HIARNG encountered human remains when the parcel was re-fenced and the parking lot extended in 1986 (Will Chee, 1998). According to this source, family members received exhumed remains, and the remainder of the graves moved. The cemetery currently contains approximately 50+ gravesites.



Figure 11: Photo-Rear of Armory-area of Historic Cemetery (in background)

Prehistoric Properties: The land was used for growing sugar cane prior to condemnation. No prehistoric archaeological sites are located on the property or in the immediate area.

Previous Work: Previous archaeological work consists of *pedestrian surveys* and historic background research conducted for the Kea‘au and Pahoa bypasses, which have since been constructed.

Sensitivity Analysis: *Medium Sensitivity* applies to areas where there is a high probability of significant archaeological sites. These include *in situ* deposits. This sensitivity level applies to the *historic cemetery*, where preservation is required and avoidance is necessary.

Low Sensitivity applies to areas where there is a low probability of archaeological sites. This sensitivity level applies to the entire facility, with the exception of the *historic cemetery*.



Figure 12: Photo-Mess Shelter (Building #24)

- **Preservation and Mitigation Strategies**

This facility is considered *medium sensitivity* due to the presence of the *historic cemetery*. As little is known about the cemetery, avoidance is the best mitigation option. It appears to have fallen into disuse and many of the gravestones are no longer standing. The area is heavily overgrown with introduced plant species, thus the extent of the boundary is unknown. The dirt road near the site will remain in its current right of way in order to avoid any impacts, and the SHPO will apply a *state site number* to the cemetery. Signage will be posted and *site monitoring* will be undertaken to reduce impacts by the HIARNG and others.

- **Standard Operating Procedures (SOPs)**

The FEC will keep the CRM updated as to the impacts on the cemetery through the *monitoring program*. If impacts occur and in case there is an *inadvertent discovery of human remains*, the CRM will develop a mitigation plan to be approved by the SHPO and consultees. In the event of an *inadvertent discovery*, SOP #5 should be used.

8.1.3 Kealakekua Armory and MVSB

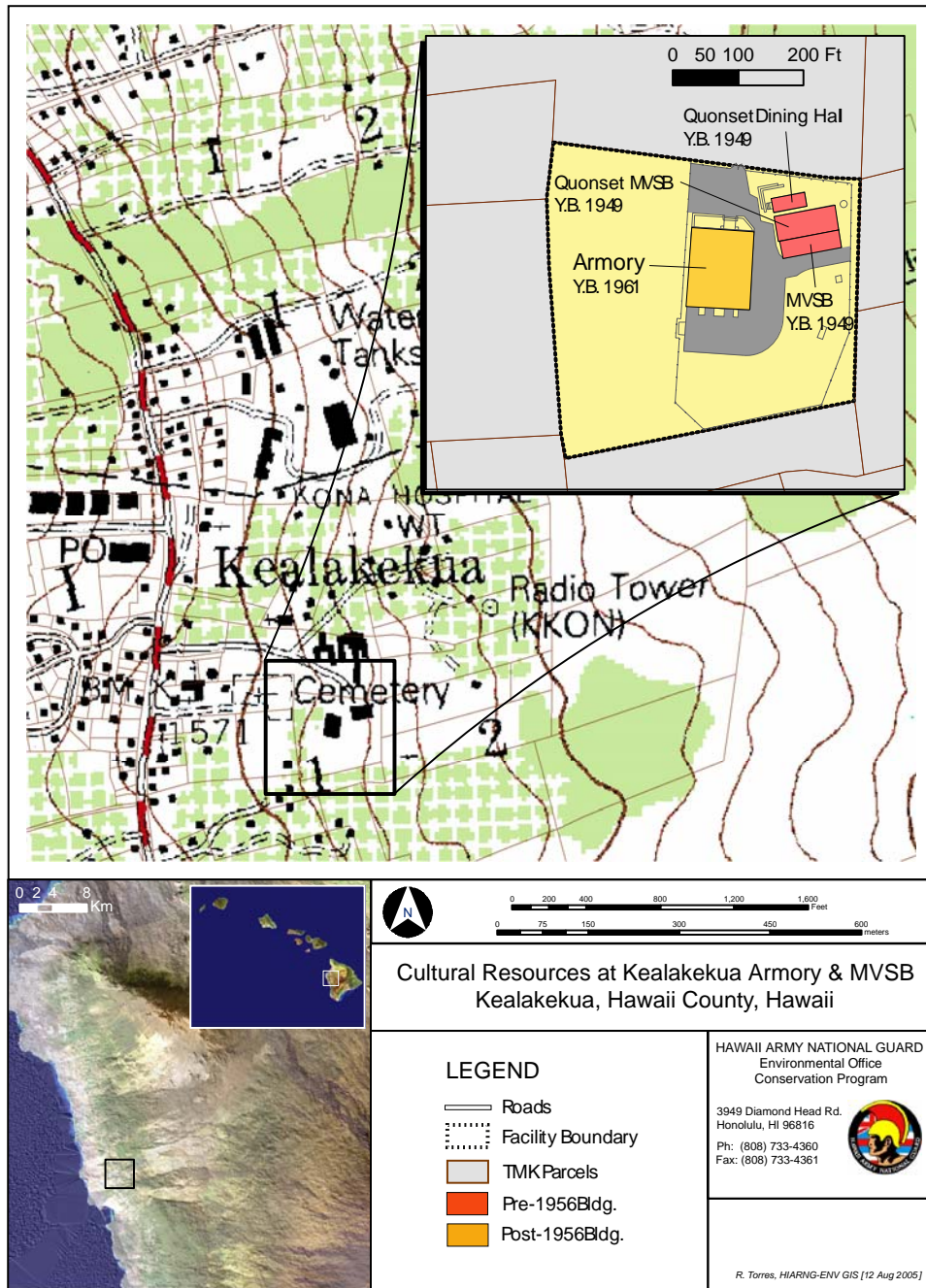


Figure 13: Facility Map-Kealakekua Armory

District: South Kona **County:** Hawai'i **Town/Area:** Kealahkekua

Pride Installation Code: 15A60

TMK #: 8-1-05: 56

Ownership: State

Total Acreage: Four

Structures/Buildings: Armory (11,325 sq. ft., built in 1961); Quonset Hut/Dining Hall (1,120 sq. ft., built in 1949); Quonset Hut/Motor Vehicle Storage Building (MVSb) (4,000 sq. ft., built in 1949); Vehicle Storage Shed (3,200 sq. ft., built in 1949)

- **Facility Historic Background**

This facility is located in the town of Kealahkekua, in the ahupua'a of Ke'eke'e, in the South Kona district, on the island of Hawai'i. Well known as the landing place of Captain James Cook during his second voyage, Kealahkekua Bay is where Cook lost his life. The town of Kealahkekua lies within the boundary of the *Kona Field System*. This system is an aboriginal Hawaiian integrated complex of dry land agriculture with related habitation areas. The system extends three miles from the mountains to the shore, and eighteen miles in width. It consists of a patterned network of elongated rectangular fields lying parallel to the ocean. In use until the mid-19th century, the system fell into disuse after reorganization of land ownership during the Great Mahele of 1848. Development of the town has destroyed much of this system.



Figure 14: Photo-Kealahkekua Armory

- **Facility Description**

The facility consists of a one-unit armory, two Quonset huts, a Motor Vehicle Storage Building (MVSF), three concrete slabs, a shed, and two canopies on a four-acre parcel acquired from the Old Kona Hospital in 1948. The facility lies on a man-made terrace cut into the slope of the lava hillside. The armory occupies the western portion of the parcel, with other buildings, canopies, and the shed grouped together on the eastern side of the parcel. The facility is paved and fenced. The MVSF and a dining hall are located in the Quonset huts.

- **Description of Cultural Resources**

Historic Properties: The Navy likely constructed the two *Quonset huts* in the early 1940's when they occupied Keaukaha Military Reservation (KMR) in Hilo, and then in 1949 they were moved to Kealahou. Quonset huts are "temporary" buildings and were a familiar sight on military bases and neighborhoods around Hawai'i. This type of building is not commonly preserved, thus these structures are rapidly disappearing from the military landscape.



Figure 15: Photo-Exterior View Quonset Hut (Dining Hall) at Kealahou



Figure 16: Photo-Interior View Quonset Hut (Dining Hall) at Kealahou

Prehistoric Properties: There are no archaeological resources at this facility. Any remnants of the *Kona Field System* that may have been present on the parcel are gone, destroyed by construction of the Old Kona Hospital and Kealahou town.

Previous Work: There are no archaeological surveys of the parcel conducted prior to acquisition of the property. Archaeological studies on several parcels in the immediate area around the facility have identified features related to the *Kona Field System*.

Sensitivity Analysis: *Low Sensitivity* applies to areas where there is a low probability of archaeological sites. This facility is a low sensitivity area.



Figure 17: *Photo*-Quonset Hut as a Motor Vehicle Storage Building (MVSB)

- **Preservation and Mitigation Strategies**

The Quonset huts require further review under the Section 106 process, although additional HABS/HAER documentation is not required.

- **Standard Operating Procedures (SOPs)**

This facility is considered low sensitivity for archaeological sites. Use SOPs #1 and #2 when considering demolition, maintenance, restoration, renovation, or rehabilitation activities for the dining room and the MVSB. The FEC will update the log on historic buildings quarterly with the CRM.

8.1.4 Keaukaha Military Reservation (KMR)

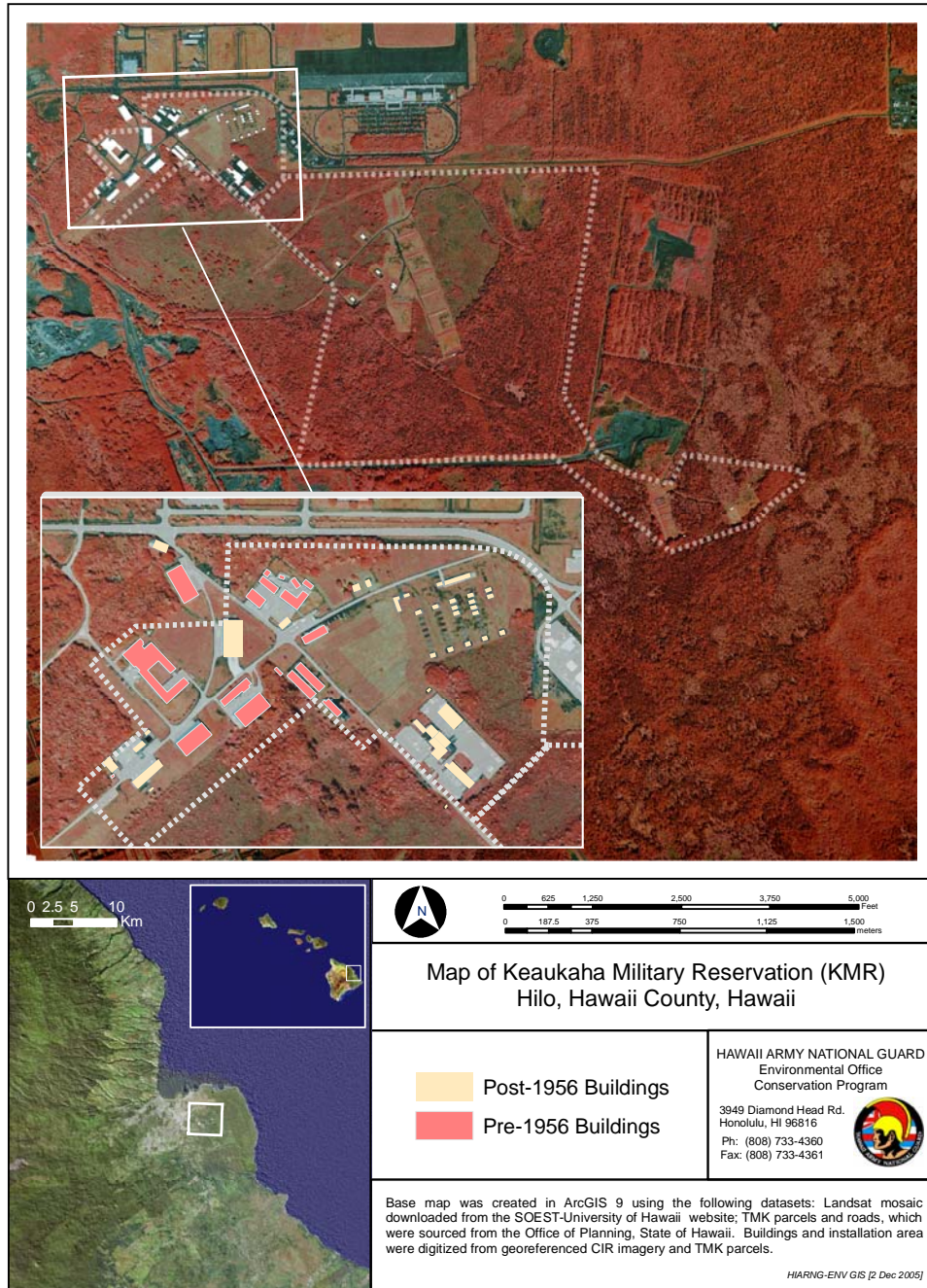


Figure 18: Facility Map-Keaukaha Military Reservation (KMR)

District: Hilo **County:** Hawai‘i **Town/Area:** Hilo

PRIDE Installation Code: 15A10

TMK #: 2-1-12: 003

Ownership: State

Total Acreage: 506.25 acres

Structures/Buildings: Five-Unit Armory (25,123 sq. ft., built in 1955); Three MVSB; Four Storage Bunkers (1,000 sq. ft. each; built in 1953); 11 Historic Buildings; Assorted Other Non-historic buildings

- **Facility Historic Background**

In 1848, King Kamehameha III enacted the law of *Divisions of Lands between the King, the Government, the Chiefs, and the People*, known as the “The Great Mahele.” Before the Great Mahele, all property belonged to the ruling class. The Great Mahele represents a change from pre-Euro-American Hawaiian land ownership within traditional land units known as *ahupua‘a*, to a system of ownership based on claims of those living on and working the property. Nevertheless, the Crown retained large tracts of property. Keaukaha Military Reservation (KMR) lies on lands formerly deeded to the Crown of Hawai‘i. In 1914, the Territory of Hawai‘i set land aside for a National Guard rifle range. In 1925, land was withdrawn from the HIARNG for construction by the Army Corp of Engineers (ACOE) for General Lyman Airfield, also known as Hilo International Airport. The ACOE expanded the airfield in the late 1930’s, aided by prison labor from a camp built at KMR in 1938. In 1941, the airfield expanded south of Lyman Field. In 1943, General Lyman Field and KMR became part of Hilo Naval Air Station, and extensive military infrastructure and housing was constructed. Navy occupation of KMR peaked in 1945 at 4,500 personnel. In 1945, the Navy cleared all facilities from the runways and decommissioned the base. The Army Air Corp began operations at Lyman Field in 1947. Reactivated on the island of Hawai‘i, the HIARNG shared facilities with the Army Air Corp at KMR. By 1953, KMR housed 11 HIARNG units. In 1960, the addition of an Armory at KMR allowed the HIARNG to move permanently from Shipman Street in Hilo, and the HIARNG turned the old armory over to the state.

- **Facility Description**

KMR is located on approximately 506 acres immediately west of Lyman Field. The first Executive Order in 1914 supplied land to construct a rifle range. The 1000 yard Known Distance (KD) range is the first structure built at KMR. Later, KMR added the small arms range and a carbine range. A section of the *Historic Puna Trail* bisects the property. The Puna Trail is part of a system of foot trails, or *ala loa*, constructed in the prehistoric period that circles the island. Widened in the late 19th century into a road, this portion bisects the property. The majority of the buildings built during the Navy and Army Corps of Engineers occupation of the base have been removed or torn down. Prior to the HIARNG takeover, most of the buildings were sold, moved to other DoD and HIARNG facilities, or demolished. Currently there are 36 extant structures and pads at KMR and at the AAFS #1 ARNG facility at Lyman Field. KMR has a five-unit armory constructed in 1953 and expanded in 1963. Approximately 60 percent of KMR has been *inventory level surveyed*.

This includes a 100 meter corridor adjacent to either side of the Puna Trail, the built areas, and transects into undeveloped portions off of the Puna Trail. Archaeologists have failed to locate a lava tube sighted from the air. The un-inventoried portions of KMR consist of large areas of heavy jungle and weathered *a'a* lava flows, which may contain prehistoric and historic sites.

- **Description of Cultural Resources**

Historic Properties:

Buildings- There are 11 buildings 50 years or older at KMR. The HIARNG received these buildings in 1946, upon abandonment by the Navy. The following table gives the building number, designated use, year constructed, and the historic category level (using Technical Manual (TM) 5-801-1). No HABS\HAER or other historic assessment has been completed for these resources.

BUILDING NO.	DESIGNATED USE	YR.CONSTRUCTED	HISTORIC CAT.LEVEL
418	Motor Vehicle Storage	1942	To be assessed
501	USPFO POTO	1942	To be assessed
505	Post Exchange	1942	To be assessed
507	Motor Vehicle Storage	1942	To be assessed
509	Office/Infirmary	1942	To be assessed
556	Unit Storage Bldg.	1949	To be assessed
623	Latrine	1942	To be assessed
624	Classroom	1942	To be assessed
626	Facilities Off and Shop	1942	To be assessed
State Cottage	Former Nurses Quarters	1942	To be assessed
State Cottage	Former Nurses Quarters	1942	To be assessed

Table 10. Historic Buildings at KMR

47 mm Cannons- There are two trophy 47mm Japanese Model 1 (1941) antitank guns weighing 1,600 pounds each. Designed for towing behind a jeep, the cannons are mounted on split-rail trailers with tires and a shield. Each cannon has a semi-automatic, horizontal sliding wedge breech mechanism with a muzzle velocity of 2,700 feet per second. These cannons fired armor piercing shells that could penetrate two-inch armor plating at 500 yards. Produced at the Osaka Army Arsenal, the Model 1 refers to the date of the adoption of this model by the military (1941 or 2601 on the Japanese calendar).



Figure 19: Photo-47mm Trophy Cannon at KMR

Used in the Pacific, other examples survive in the Territory of Guam and in the Commonwealth of the Northern Marianas. The HIARNG obtained the cannons in the 1960's when the military distributed captured armaments to any service who wished to have them, and are located at the front of the armory. The area where KMR is located has some of the highest rainfall totals in the state, and the dampness has caused extensive rust damage to both cannons.

State Site 50-10-35-21657 (Military Gun Emplacement) - An archaeological site dating to military occupation is located on the base. The site is comprised of a single C-shaped lava block enclosure used as a gun position during exercises. This State Site is located near the small arms range at the eastern end of the reservation. It has been identified as an *historic military gun firing emplacement*, however, no dateable materials are present to determine whether this site is the result of HIARNG activities or related to the Army, Navy, or Air Force occupation of KMR.

The State site numbering system is a numeric system consisting of four sets of numbers. The first set represents the state (50), the second represents the island (10), the third set represents the USGS quad map where the site is located (35), and the final set is the rank order number that site is in discovery (21657). Thus, State Site 50-10-35-21657, reading backwards, translates to the 21,657th site, recorded on USGS quadrant map #35, on the island of Hawai'i (#10), within the State of Hawai'i (#50). At KMR, there is a total of five State Sites, both historic (one site) and prehistoric (four sites).



Figure 20: Photo-The Puna Trail

Prehistoric Properties: Historic background research and previous *reconnaissance and inventory survey* results reveal that the land surrounding KMR is extremely rugged such that no permanent settlement occurred in the prehistoric period in the area. However, there are four prehistoric properties on KMR, and they are listed below:

State site 50-10-35-21273 (The Puna Trail) - An *ala loa*, or ancient foot trail, is one of a series of foot trails that encircle the island of Hawai‘i. This trail, the largest of the prehistoric properties on the base, became a government road in the 1880’s before becoming the main road through the facility. (See Figure 21)

State Site 50-10-35-21658 (Series of Five Rock Cairns or “Ahu”) - A small site, consisting of a series of five rock cairns or ahu, which may be related to the Puna Trail.

State site 50-10-35-21659 (Modified Lava Flow) - A small site, consisting of a modified lava outcrop interpreted as an agricultural feature.

State site 50-10-35-21771 - Located at the end of the 1000 yard KD Range, and off of the Puna Trail. (See Figure 21)

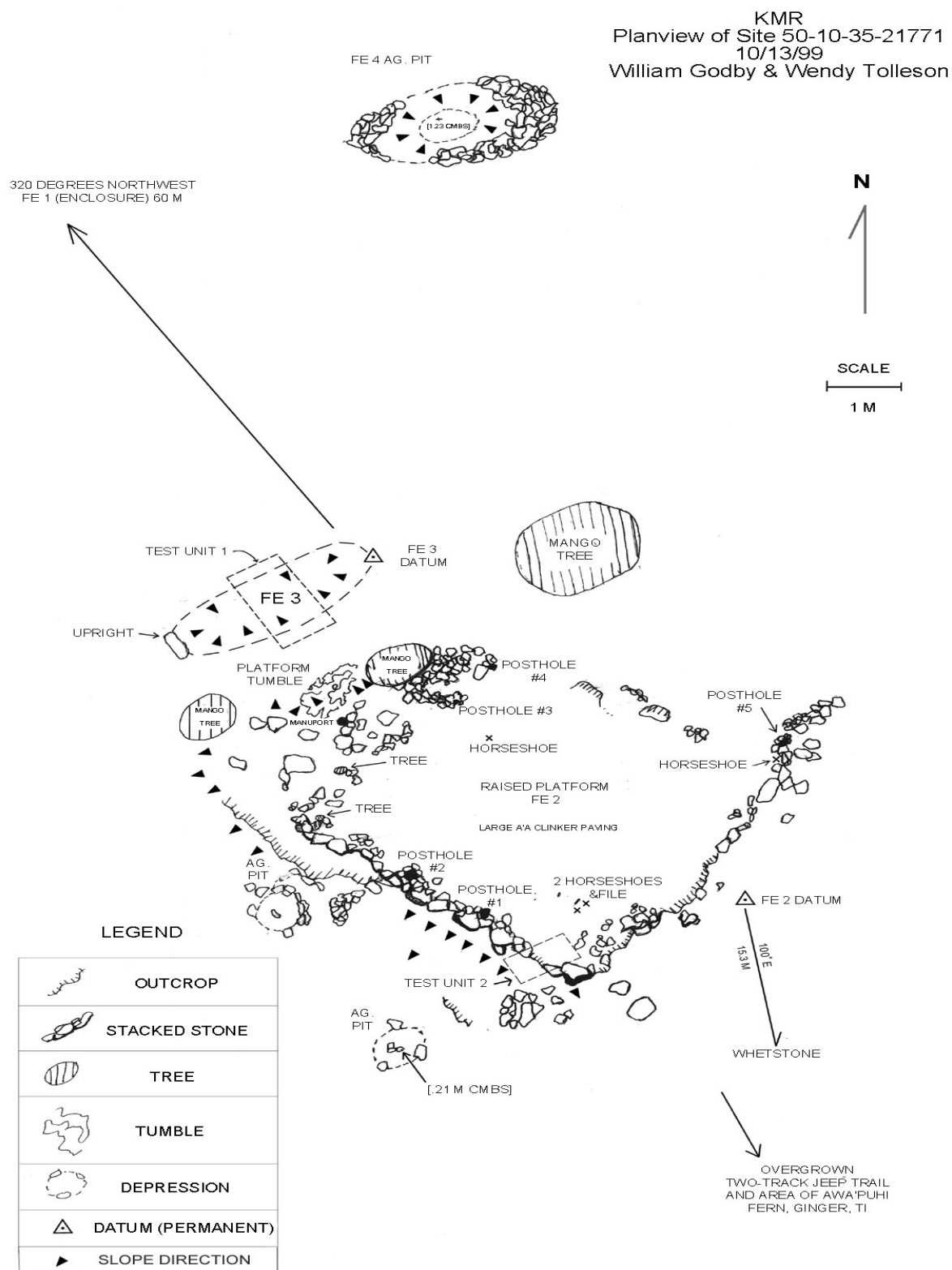


Figure 21: Site Map-Plan view of State Site 50-10-35-21771

Previous Work: A *reconnaissance survey* (completed in 1997) of a 100 m corridor adjacent to the section of the Puna Trail recorded two sites, a *military gun emplacement* constructed with lava block in a C-shape (historic resource) and a *modified lava outcrop* (prehistoric resource).

An *inventory level survey* (completed in 1999) recorded an additional (third) site, the *ahu* (prehistoric resource). Each resource received a State site number, including the Puna Trail (prehistoric resource). HIARNG personnel later recorded the fifth site in late 1998, State site 50-10-35-21771 (prehistoric resource).

Sensitivity Analysis: *High Sensitivity* applies to areas of known or inferred archaeological and traditional features that may be impacted by land use. This includes the area immediately adjacent to the Puna Trail, the Puna Trail itself, and State Site 50-10-35-21771. This sensitivity level also applies to portions of KMR in need of *reconnaissance and inventory level surveys* for archaeological sites and TCPs.

Medium Sensitivity applies to areas where there is a medium probability of significant archaeological site preservation. This includes *in situ* deposits, caves, and sinkholes. These areas are the portions of the facility that are undeveloped and include historic buildings that must be assessed. This sensitivity level also applies to the areas of known archaeological sites where impacts could occur as the result of training or training lanes development, and require protection from impacts.

Low Sensitivity applies to areas where there is a low probability of archaeological sites. This applies to those areas that have been heavily modified by bulldozing, new buildings, and portions of the Puna Trail that are covered in asphalt.

- **Preservation and Mitigation Strategies**

KMR is a combination of *high, medium, and low sensitivity* probability. A needs assessment in the long term would address these concerns, but in the meantime most of the SOPs included in this plan apply. Fortunately, KMR has its own FMO and management strategies. A preservation program that outlines goals, policies, treatment programs, and design guidelines for the maintenance, repair, restoration, rehabilitation, new construction, and demolition of significant historic buildings is currently being developed.

- **Standard Operating Procedures (SOPs)**

Any category must be assessed under SOP #1 and #2. *Environmental remediation* is ongoing and therefore SOP #3 applies. *Inadvertent discovery of archaeological materials or human remains* requires following the *notification steps/procedures* (detailed in Chapter 7.3) as well as following SOPs #5, #6, and #7.

ISLAND OF KAUA'I

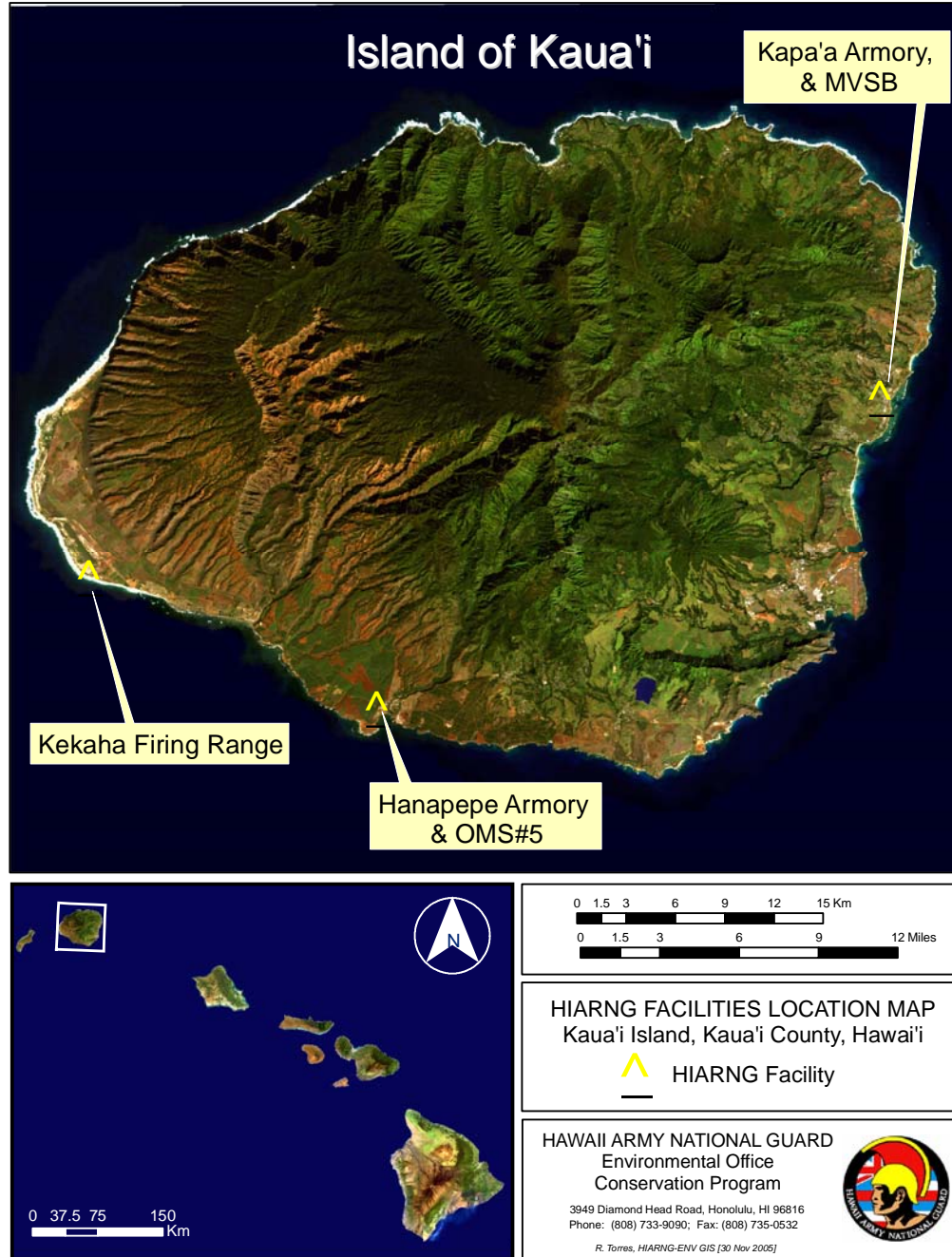


Figure 22: *Geographic Map-Island of Kaua'i*

8.2 ISLAND OF KAUAI

8.2.1 Hanapepe Armory and OMS #5

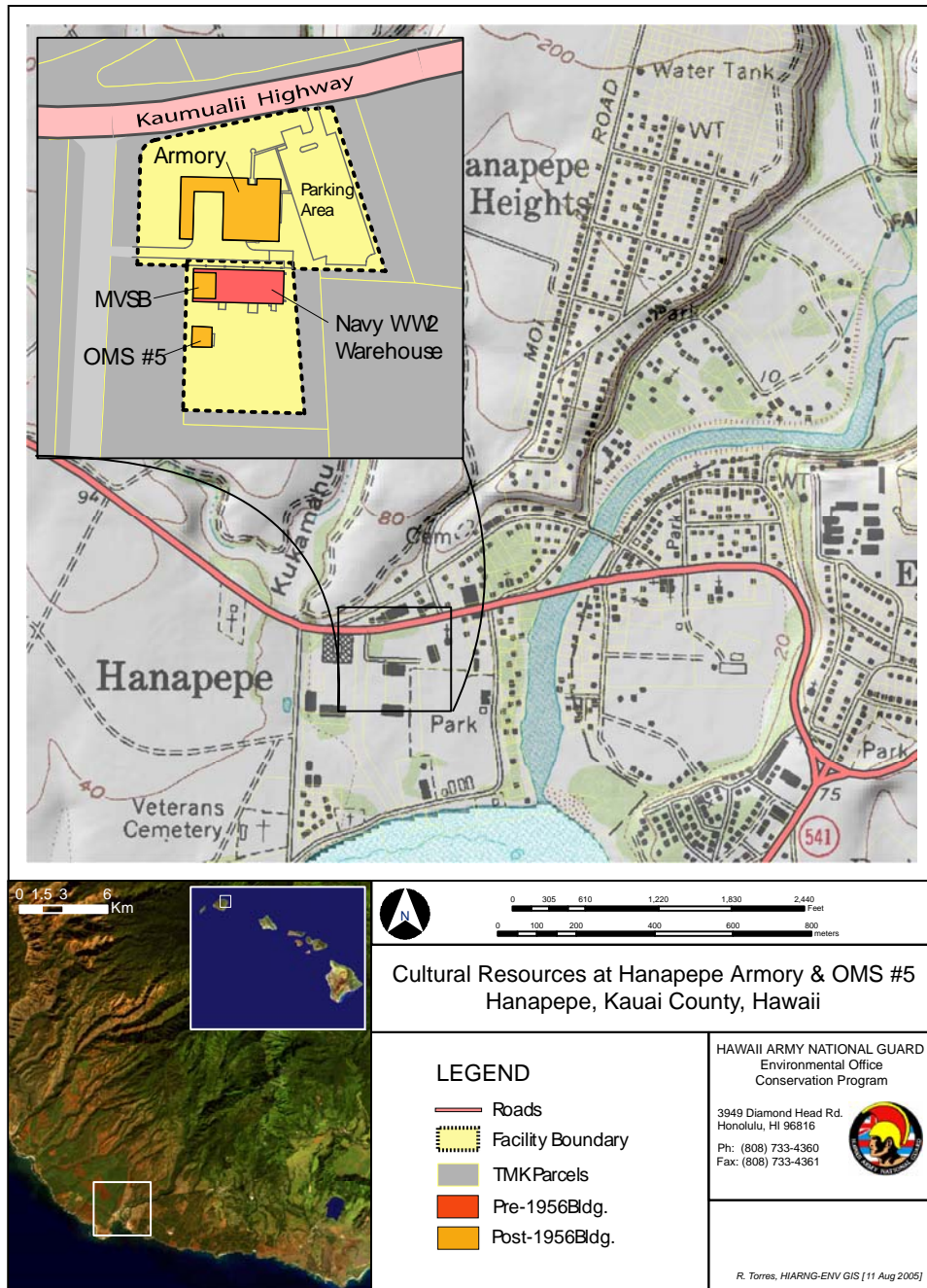


Figure 23: Facility Map-Hanapepe Armory and OMS #5

District: Waimea **County:** Kauaʻi **Town/Area:** Hanapepe

Pride Installation Code: 15A05

TMK #: 1-8-08: 77

Ownership: State

Total Acreage: 4.92

Structures/Buildings: One unit Armory (23, 417 sq ft., built in 1990); Concrete slab (Former Historic WWII Navy Warehouse) (2,500 sq ft.); Storage Building (sq ft., built in); OMS #5 (1,458 sq ft., built in 1978); FMS (Flammable Materials Storage) (196 sq ft., built in 1963).

- **Facility Historic Background**

During WWII, the 750-member garrison, made up of elements of the 298th and the 299th Infantry Regiments of the National Guard (Creed and Hammatt 1995) that protected Burns Field (the only paved landing field on Kauaʻi in 1941) and Port Allen, was assigned at Hanapepe to protect the new field at Lihue under the command of LTC Eugene Fitzgerald. The OMS facility was constructed in 1969. Acquired in 1937, the Hanapepe parcel contained a wooden warehouse constructed by the US Navy in 1950 as part of a large depot area containing several identical warehouses. Leased to Kauaʻi Pineapple for the storage of canned pineapple during a shipping strike, Warehouse #26 measured approximately 50 feet by 200 feet, with an overall area of 9000 square feet.

- **Facility Description**

The Hanapepe facility lies on 4.92 acres and consists of a one-unit armory, an Organizational maintenance shop (OMS #5), and a concrete slab. A new one-unit armory replaced the original armory in 1988.

- **Description of Cultural Resources**

Historic Properties: The warehouse blew down in 1982 during Hurricane Iwa. The HIARNG built a pre-fabricated building for vehicle storage; however, the slab has not been used since the prefab building was destroyed during Hurricane Iniki in 1991. It is not considered a significant resource.

Prehistoric Properties: There are no prehistoric resources present on the facility.

Previous Work: No previous *archaeological survey* has been conducted on the property; however areas adjacent to the facility have been assessed. Investigations consisted of a *subsurface inventory level survey* (Creed and Hammatt 1995) and *inadvertent discoveries of human burials* on properties adjacent to the facility. The facility lies near the ocean on ancient sand dunes, a prime burial area for ancient Hawaiians particularly on Kauaʻi. Background research indicates that disturbance during the building of the Hanapepe facility leaves little to no *in situ* prehistoric cultural remains.

Sensitivity Analysis: *Low Sensitivity* applies to areas where there is a low probability of archaeological sites. All areas of this facility are low sensitivity.

- **Preservation and Mitigation Strategies**

The concrete slab retains no integrity of the former warehouse and is not significant. No further work is required to destroy or reuse this feature. Human burials have been found in parcels adjacent to the facility. The facility lies close to the ocean on ancient sand dunes, so there is a slight possibility that buried human remains are present. *Monitoring of demolition of structures* or *monitoring of landform changes* within the facility will occur at the time of the project. Notification of the HIARNG Environmental staff is the responsibility of the facility.

- **Standard Operating Procedures (SOPs)**

This facility is considered low sensitivity for archaeological sites. Use SOPs #2 and #3 when considering restoration, rehabilitation, or demolition activities, or for environmental remediation projects involving any areas of the facility.

8.2.2 Kapa'a Armory and MVSB

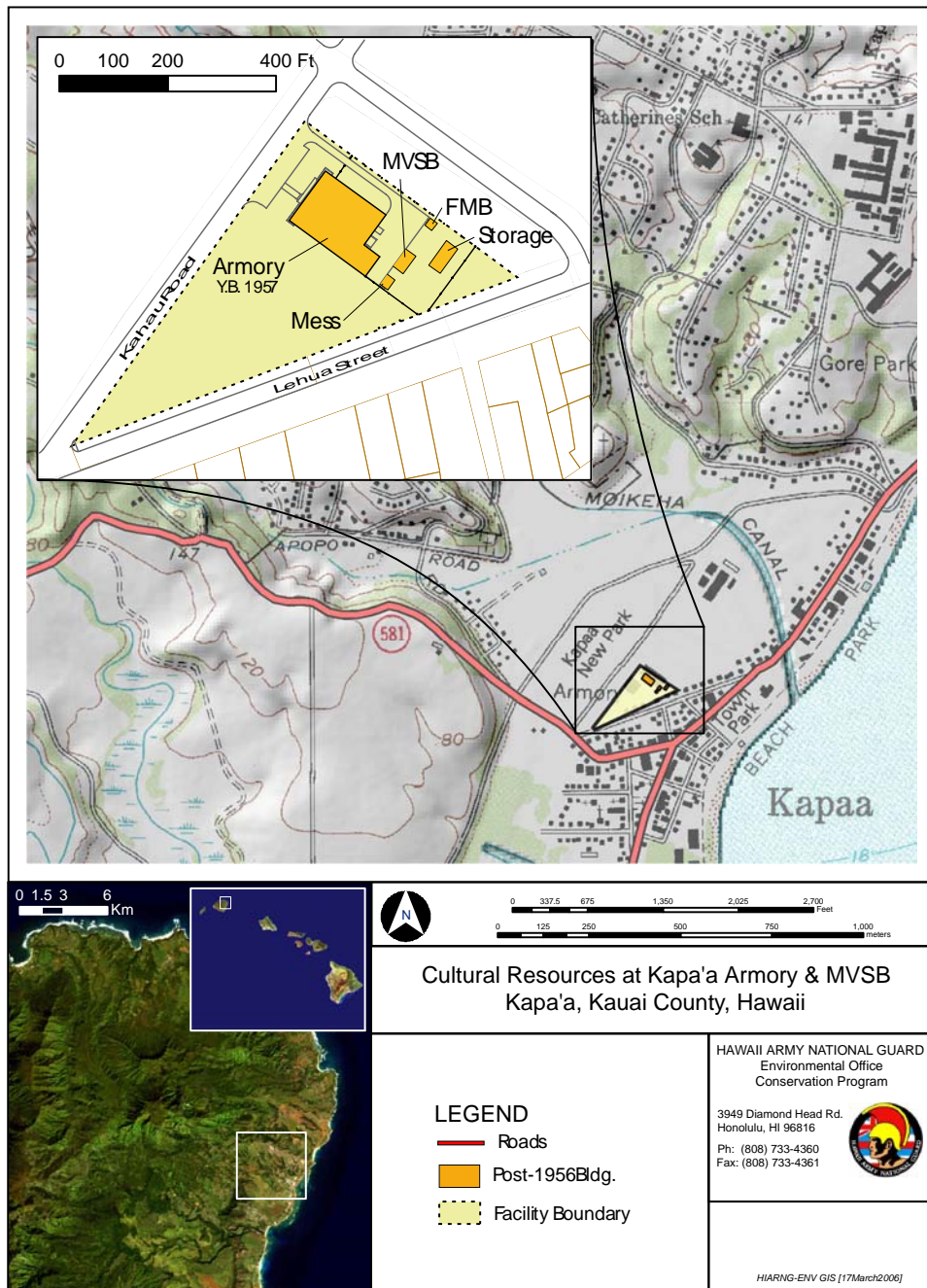


Figure 24: Facility Map-Kapa'a Armory and MVSB

District: Kawaihau **County:** Kaua'i **Town/Area:** Kapa'a

Pride Installation Code: 15A40

TMK #: 4-5-15: 05

Ownership: State

Total Acreage: Three

Structures/Buildings: One Unit Armory (13,180 sq ft., built in 1957); Motor Vehicle Storage Shed (700 sq ft., built in 1967); Flammable Materials Storage (196 sq ft., built in 1963); Storage Shed (1,290 sq ft., built in 1988)

- **Facility Historic Background**

The ahupua'a of Kapa'a is located on the eastern side of the island of Kaua'i, in the district of Puna. Geologically, Kapa'a can be characterized as fairly flat, with irregularly-shaped gulches and valleys in the uplands, through which small tributary streams run. Some of these streams combine with other streams from nearby Kealia ahupua'a to form Kapa'a Stream, which empties into the ocean at the northern border. Permanent settlement occurred along the coast throughout late prehistory as indicated by the presence of thick cultural deposits in the shore and backshore areas of Kapa'a, and these layers have been dated by radiocarbon methods to as early as the 14th century. Through archaeology and other sources, at one time agricultural and domestic activities extended into the far mauka areas of Kapa'a, but were abandoned by the mid-19th century. Early records of the Kapa'a area (1840's) show that only six individuals owned land parcels in Kapa'a. Five of the six had *lo'i*, or irrigated kalo (taro) fields on the mauka (mountain) side of the lowland marsh area (since filled in), which sometimes extended up into the small, shallow gulches and valleys of the area. Each owner also had a separate house lot located on the makai (ocean) side of the marsh, adjacent to the beach. At the time, the residential village of Kapa'a did not exist as a single entity, but consisted of a series of most likely small settlements or compounds which stretched along the shoreline of the ahupua'a. The sugar industry arrived in Kapa'a in 1877 with the establishment of the Makee Sugar Company and construction of a sugar mill near the north end of the present town. Cane was primarily cultivated in the upland areas and Chinese rice farmers successfully cultivated the lowlands of Kapa'a. Several Hawaiian kuleana owners leased or sold their parcels mauka of the marsh land to rice cultivators. The economic activity as a result of the successful sugar and rice ventures eventually led to the sale of the house lot kuleana lands on the makai side of the marsh for increasing commercial and residential development.

- **Facility Description**

The facility contains a One-Unit Armory and a Motor Vehicle Storage Building (MVS), a Flammable Materials Storehouse (FMS), and two smaller buildings. It is fenced and lies on the Kapa'a flood plain behind the town of Kapa'a. This facility is new, with all buildings constructed after 1954.

- **Description of Cultural Resources**

Historic Properties: There are no historic resources on this facility

Prehistoric Properties: There are no prehistoric resources on this facility.

Previous Work: Archaeological site reports for the area reveal that no *subsurface reconnaissance* or *inventory surveys* have been conducted on or near the facility.

Sensitivity Analysis: *High Sensitivity* applies to areas of known or inferred archaeological and traditional features that may exist at this facility. As no subsurface investigations have been completed here, all areas are considered of high sensitivity on this facility.

- **Preservation and Mitigation Strategies**

Any subsurface remains recovered from any archaeological work conducted on the parcel, or from accidental discoveries, will be assessed as to the nature and extent of the resources across the property and consultation with the SHPO will begin. Until this occurs, SOPs for *inadvertent discoveries* and others will be followed.

- **Standard Operating Procedures (SOPs)**

Relevant SOPs for this facility are SOP #5 (Inadvertent Discovery of Cultural Resources), SOP #6 (Procedures Where Human Remains are Involved), and SOP #7 (Soldier Awareness Training).

8.2.3 Kekaha Firing Range



Figure 25: Facility Map-Kekaha Firing Range

District: Waimea **County:** Kauaʻi **Town/Area:** Kekaha
Pride Installation Code: 15A65
TMK #: 1-2-02: 21
Ownership: State
Total Acreage: 68
Structures/Buildings: none

- **Facility Historic Background**

Kekaha Firing Range is located on the Mana Plain on the NW side of Kauaʻi. Throughout prehistory, large areas of the large inland swamp allowed natives from the village of Mana to canoe as far south as Waimea. After the arrival of the Europeans to the island, aquaculture transitioned to agriculture through the eventual draining of the lakes and the cultivation of sugar cane and rice. Mana is also an area specifically referred to in Hawaiian literature and oral tradition as a *leina-a-ka-uhane* where the spirits of men, after death, plunge into eternity and are divided into one of three spiritual realms: the realm of the wandering spirits; the realm of the ancestral spirits; or the realm of the endless night (Maly 1993; Gonzalez et al 1990). Burial sites, heiau, campsites, house sites, lithic scatters, and aquaculture ponds have been recorded in the area adjacent to the range.

- **Facility Description**

Kekaha Firing Range adjoins the southeast side of Barking Sands Missile Range, between the coast and Kaumualiʻi Highway, on a 68 acre parcel. Once marshland, lands around the firing range have been converted to agricultural use. There are no structures or buildings at the Kekaha Firing Range, except for a small 117 square foot wooden Latrine, built in 1961.

- **Description of Cultural Resources**

Historic Properties: There are no historic resources present on the facility.

Prehistoric Properties: There are no prehistoric cultural resources present on the facility.

Previous Work: A *subsurface inventory level survey* (completed in 1994) consisted of 29 backhoe trenches, each a minimum of 10 feet in length excavated to the groundwater, or to 2.5 meters near the modern beach (where loose sand collapsed the trench at this depth). No cultural debris or human remains were recorded in any of the 29 trenches (Folk and Hammatt, 1994).

Sensitivity Analysis: *Low Sensitivity* applies to areas where there is a low probability of archaeological sites. All areas of this facility are considered low sensitivity.

- **Preservation and Mitigation Strategies**

Dune areas located adjacent to the range should not be disturbed without first consulting the CRM.

- **Standard Operating Procedures (SOPs)**

SOPs #5 and #6 will apply should any inadvertent discoveries of archaeological deposits and/or human remains occur.

ISLAND OF MAUI

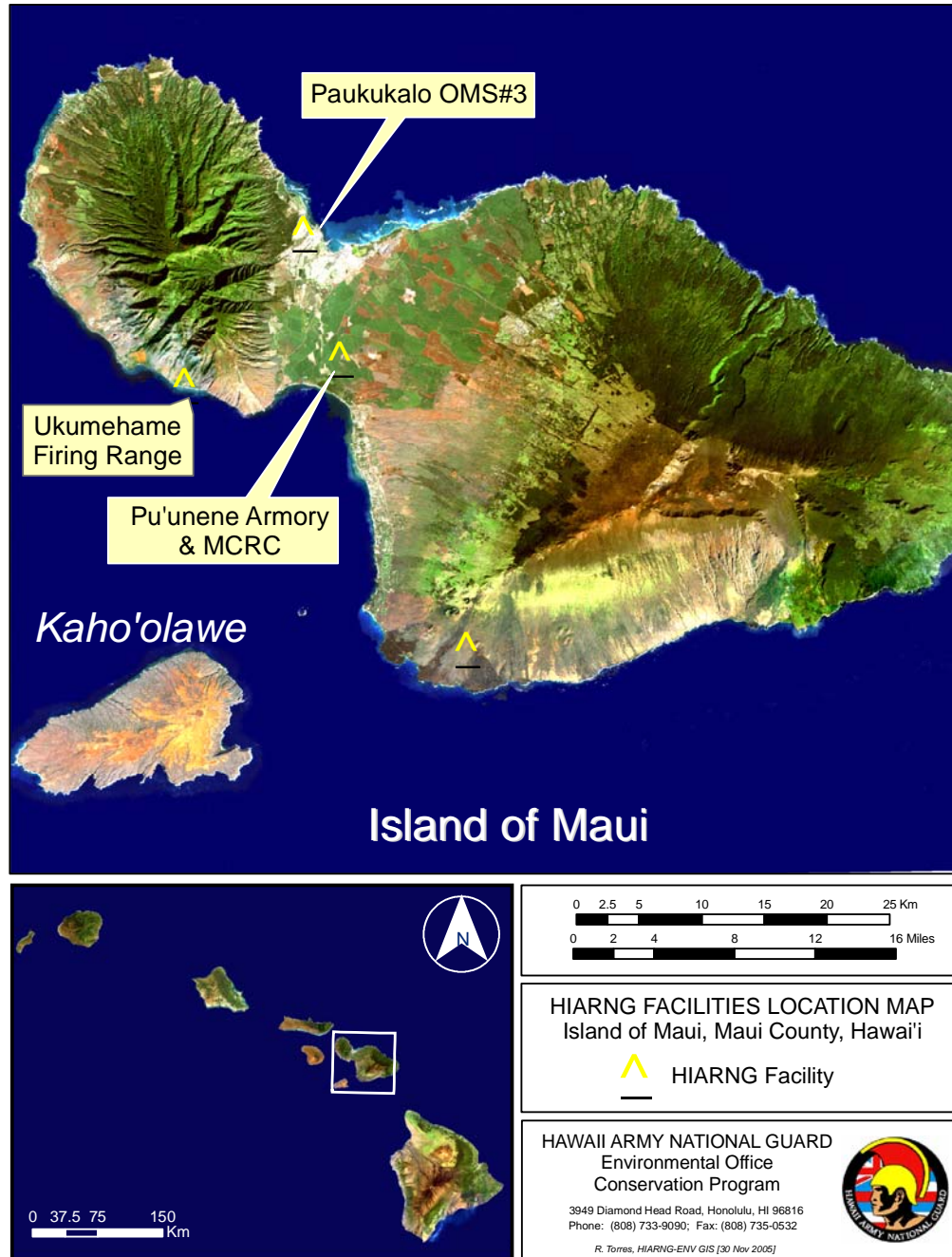


Figure 26: Geographic Map-Island of Maui

8.3 ISLAND OF MAUI

8.3.1 Paukukalo OMS #3

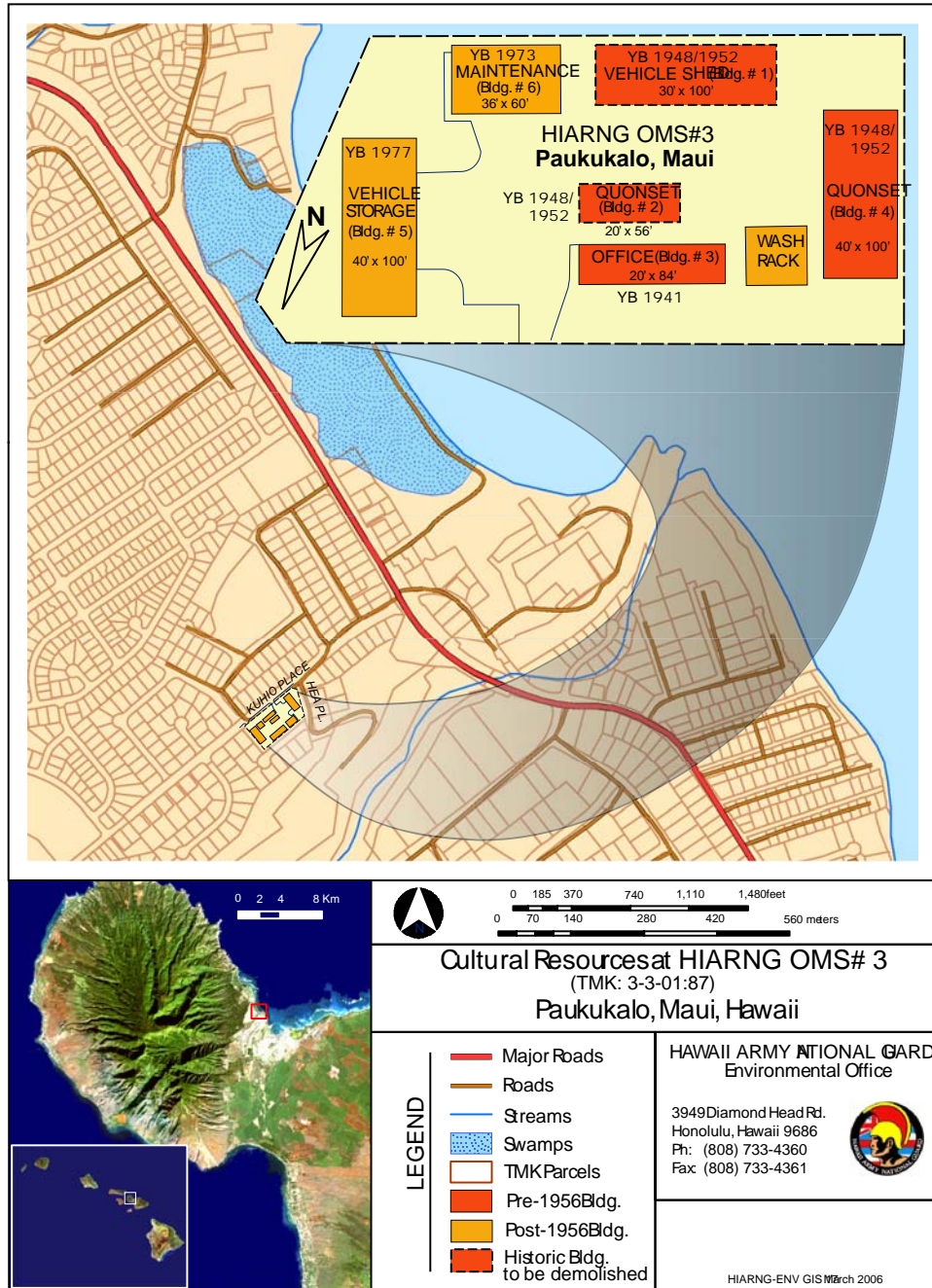


Figure 27: Facility Map-Paukukalo OMS #3

District: Wailuku **County:** Maui **Town/Area:** Paukukalo

Pride Installation Code: 15A75

TMK #: 3-3-01: 87

Ownership: State

Total Acreage: 2

Structures/Buildings: Quonset Hut (3,000 sq. ft., built in 1948); Storage (1,956 sq ft., built in 1941); Quonset (double) (1,600 sq. ft., built in 1948); MVSB (4,000 sq. ft., built in 1977); Organizational maintenance shop #3 (2,315 sq ft., built in 1973); MVSB (Open Shed) (4000 sq ft., built in 1948)

- **Facility Historic Background**

Paukukalo is located below the ridge at Pihana, the location of two *heiau*, Haleki'i and Pihana. Now reconstructed, they are listed on the State Register of Historic Places. Founded as a religious gathering place for the God Kū, Pihana was the main *luakini*, or human sacrificial temple, for the royal center based at Wailuku *ahupua'a* in the 1400's. Haleki'i appears to have been the rulers residential site. The facility is adjacent to a Department of Hawaiian Homelands (DHHL) residential area formerly leased by the HIARNG from the Navy. During the World War II build-up period, OMS #3 was the site of a HIARNG motor pool, range, and temporary housing on leased parcels and Navy property. The HIARNG received the property in 1941. The HIARNG released the range area in 1963 for the construction of DHHL homes, reducing the Paukukalo facility to its present two acres. The Paukukalo OMS will be closed permanently when the facility is moved to the MCRC, and the land turned over to the DHHL for housing.

- **Facility Description**

The facility consists of two fenced acres containing three Quonset huts, two motor vehicle storage buildings (one masonry and one pre-fabricated), a pre-fabricated OMS building, a grease rack, and a wash platform.

- **Description of Cultural Resources**

Historic Properties:

Quonset Huts (T-78 and T-102) - The Quonset huts (T-78 and T-102) were originally part of the Pu'unene NAS buildings. Released to the HIARNG in 1948, the buildings were reconstructed at Paukukalo in 1952. Building T-78 measures 20 x 48 ft. and is the old MVSB used during the 1940's, and building T-102 measures 40 x 100 ft. and is the old OMS building. Used for range activities until the range closed, the HIARNG now uses these buildings for storage.

Organizational maintenance shop #3 (OMS)(Bldg. #274) - In 1952, the HIARNG purchased the OMS as surplus material from Pu'unene Naval Air Station from the War Assets Administration. The structure is a double Quonset consisting of two wings. The additional Quonsets also come from Pu'unene NAS.

Prehistoric Properties: There are no prehistoric archaeological sites on this facility due to land alteration for construction.

Previous Work: Archaeological *reconnaissance and inventory surveys* performed as part of environmental planning for subdivision construction recorded *caves* (Griffin, 1991); *rock mounds* (Bordner and Patteys, 1979; Keau and Murray, 1977; Kennedy, 1983); a possible *Chinese grave* (Kennedy, 1983); *terracing* (Keau and Murray, 1977); and *military features* (Bordner and Patteys, 1979; Keau and Murray, 1977). Testing and data recovery revealed no prehistoric or historic archaeological materials from the features recorded. Many were the result of *historic disturbance* and the remainder the result of military use of the property by the Navy during WWII, and then by the HIARNG during the 1950's when the area was used as a range before reductions in acreage occurred to build several phases of DHHL housing.

Sensitivity Analysis: *Low Sensitivity* applies to areas where there is a low probability of archaeological sites. This sensitivity level includes the entire Paukukalo facility.

- **Preservation and Mitigation Strategies**

Classified as Temporary buildings, the Quonset huts can be demolished without further historic documentation after Section 106 consultation with the SHPO. However, since abandonment of Paukukalo is an undertaking under land transfer, consultation with the SHPO will be initiated in any event.

- **Standard Operating Procedures (SOPs)**

There are few Quonset huts remaining, therefore, any changes or rehabilitation procedures require following SOPs #1 and #2. When the move to the MCRC occurs, SOPs pertaining to land transfers will also apply.

8.3.2 Pu'unene MCRC/Armory (formerly Naval Air Station (NAS), Pu'unene)

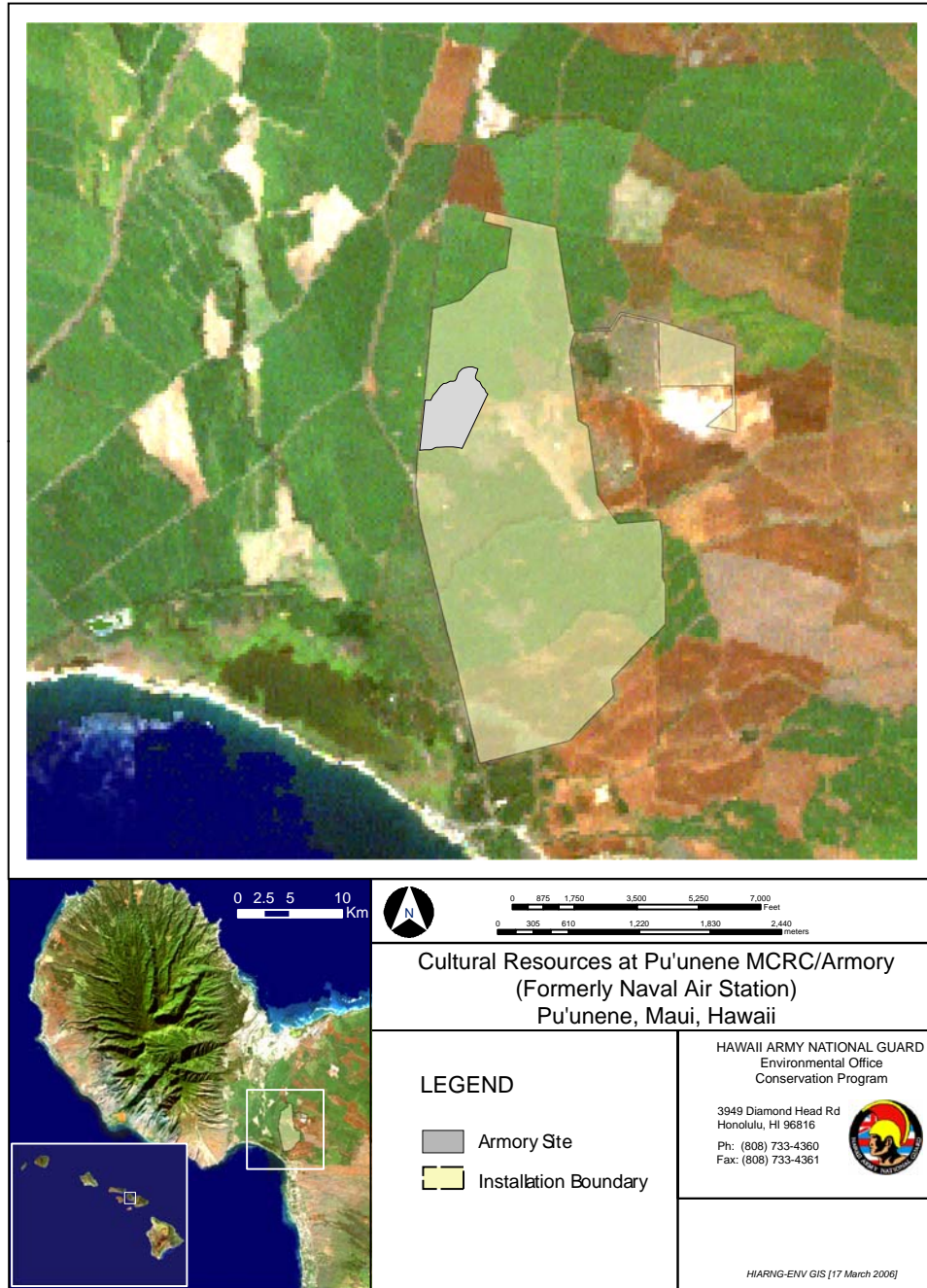


Figure 28: Facility Map-Pu'unene Armory

District: County: Maui **Town/Area:**

PRIDE Installation Code: 15B10

TMK #: 3-8-08: 01

Ownership: State

Total Acreage: 30

Structures/Buildings: 23 Concrete slabs; Four Buildings; One former Swimming Pool; Five Rock Walls; One Above Ground Storage Tank

- **Facility Historic Background**

The airstrip is located in a pre-contact era military strategic area known as the “neck of Maui.” Chief Kahekili defeated an elite troop of warriors at a battle at Pi‘ilani in the late 18th century. Built for Inter-Island Air (later Hawaiian Airlines) in 1938, the airport supported commuter flights between islands by baby clippers. Between 1941 and 1943 during the World War II era build-up period, the Army and Navy constructed 258 buildings that accommodated up to 3,000 people (Tuggle et al 2000). They expanded and paved the airstrip, and built infrastructure in the form of roads, water tanks, and underground and above-ground gasoline tanks. The base was the primary pilot training facility in the Pacific for the Navy, and accommodated a contingent of WAVES, an Army squadron, and an observation post. The HIARNG is assigned to the main historic Navy base area. Put on caretaker status in 1946 and closed in 1948, the airstrip is used as an auto racing drag strip, a pig farm, a crop dusting operation, and for ranching. The rest of the base is primarily used for sugar cane cultivation.

- **Facility Description**

Pu‘unene is on the State Site inventory as State Site 50-50-09-4164 and it is on the State Historic Register. Currently, the HIARNG uses a small portion of the airstrip as an airlift and maneuver area.

- **Description of Cultural Resources**

Historic Properties: The historic remnants at Pu‘unene have been inventory surveyed by the Army Corps of Engineers, and classified according to eligibility to the NRHP (Tuggle et al 2000). The vast majority of structures at Pu‘unene NAS were temporary structures that were demolished after the base closed. The buildings and ruins here reflect the expansion of military facilities that took place in Hawai‘i during WWII, along with the rapid abandonment in post-war Hawai‘i. Pu‘unene’s important contribution to Hawai‘i’s role in WWII may make it significant for the NRHP under Criterion A. A Master Plan is currently being developed by the HIARNG.

Concrete Tablet- During construction of the heliport for the Parsons-UXB Joint Venture’s Kaho‘olawe cleanup, a concrete tablet near the edge of a runway under kiawe trees was unearthed. This tablet is crudely marked, incised when it was wet, with the date of “2-18-44” marked on the top and “Battle of Maui” incised at the bottom. This was missed during the *inventory survey* and is not part of the inventory report, as it was located within a heavily vegetated section which was cleared by Parsons during construction.



the SHPO. The concrete tablet will be moved to a safe location, and historic research and informant interviews will be pursued in an attempt to obtain its history and meaning.

- **Standard Operating Procedures (SOPs)**

SOPs # 2, 3, 4, 5 are all relevant to this undertaking. Numbers 2 and 3 are related to *renovation and remediation* at the facility. Only consultation will inform the HIARNG regarding the disposition of the extant buildings, and whether they will need to be repaired and preserved. The former NAS is certain to require certain remediation for hazardous waste that may occur near or on these historic properties. SOP #4 relates to *land transfer* that will occur when Kahului and Paukukalo are closed in October of 2004, and those operations moved to Pu‘unene. Finally, SOP #5 relates to *undiscovered archaeological deposits*. Though the base has been highly impacted by sugar cane since closing, the example of the concrete tablet revealed during clearing suggests that other cultural resources may be hidden in the vegetated areas of the base.

8.3.3 Ukumehame Firing Range

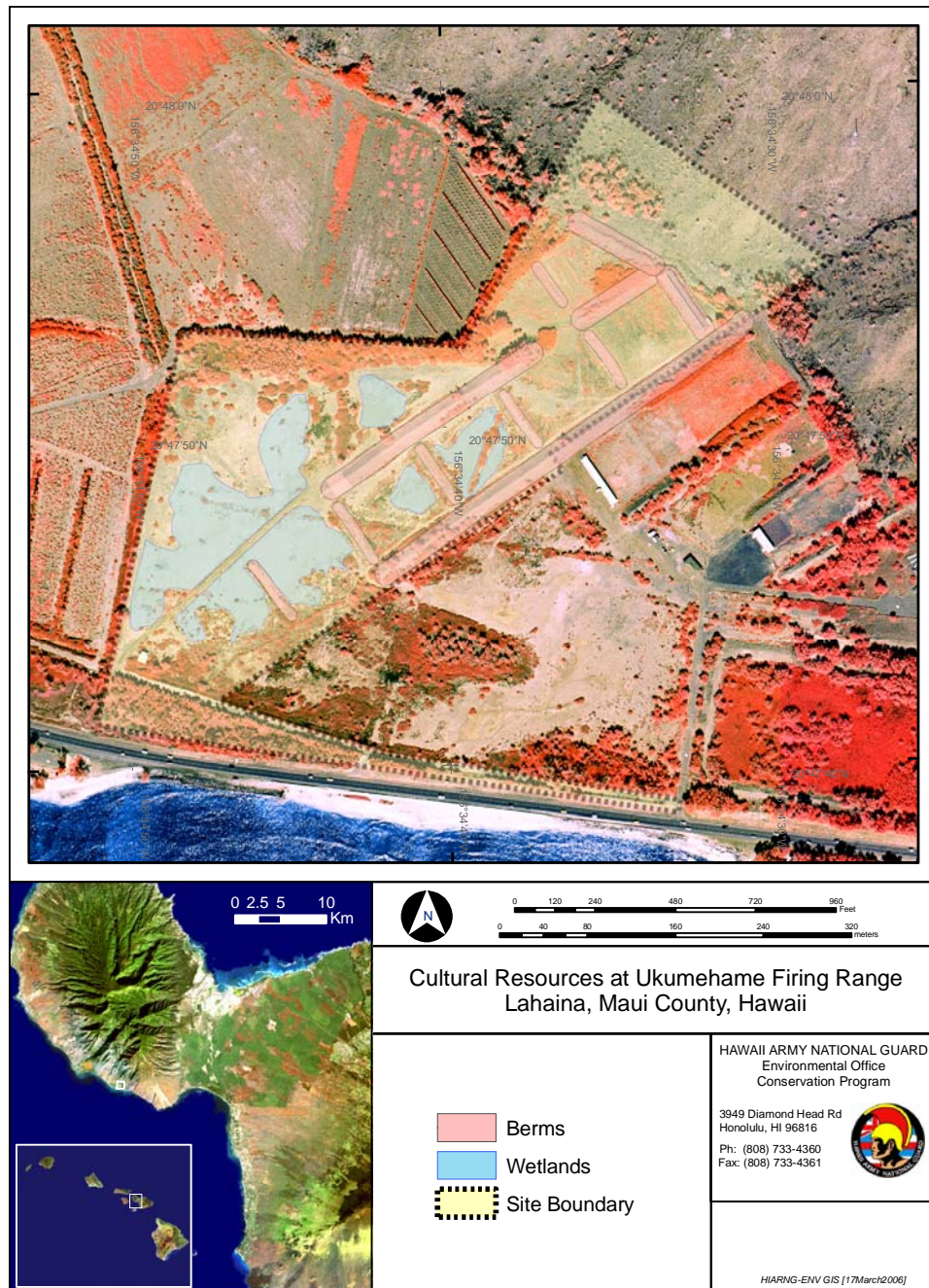


Figure 30: Facility Map-Ukumehame Firing Range

District: County: Maui **Town/Area:** Lahaina

PRIDE Installation Code: 15A67

TMK #: 4-8-02: 47

Ownership: State

Total Acreage: 39.279

Structures/Buildings: none

- **Facility Historic Background**

Ukumehame Firing Range lies on the mauka side of the main Honoapi‘ilani Highway. Originally leased to Olowalu Sugar Company, the company cultivated sugar cane on the property from 1870 through 1930, when Pioneer Mill took over the property. Pioneer Mill cultivated sugar cane on the property until 1988, when the state appropriated the property for the range.

- **Facility Description**

Constructed in 1990, Ukumehame Range consists of six dirt berms demarcating a bull’s eye pistol range, a 600 yard KD range, a 200 yard recreational rifle range, a practical pistol range, a police combat range, a skeet and trap range, and parking lots to accommodate shooters. There are no standing structures on the facility.

- **Description of Cultural Resources**

Historic Properties: There are no historic resources on the facility.

Prehistoric Properties: There are no prehistoric resources on the facility



Figure 31: Photo-Berms at Ukumehame Firing Range

Previous Work: An *inventory level survey* (completed in 1997) of the property revealed no sites on the parcel. However, just .75 miles from the parcel is the site of two *heiau*, Haleki'i (50-50-08-0002) and Ukumehame (50-50-08-0003) (Sinoto, 1997). The parcel where the range is located has long been sugar cane land, devoid of archaeological sites and deposits.

Sensitivity Analysis: *Low Sensitivity* applies to areas where there is a low probability of archaeological sites. The entire facility is considered a low sensitivity area.

- **Preservation and Mitigation Strategies**

There are no preservation or mitigation measures required for this facility.

- **Standard Operating Procedures (SOPs)**

In the unlikely event that archaeological deposits are discovered, SOPs #1 and #6 should be used.

ISLAND OF MOLOKA'I

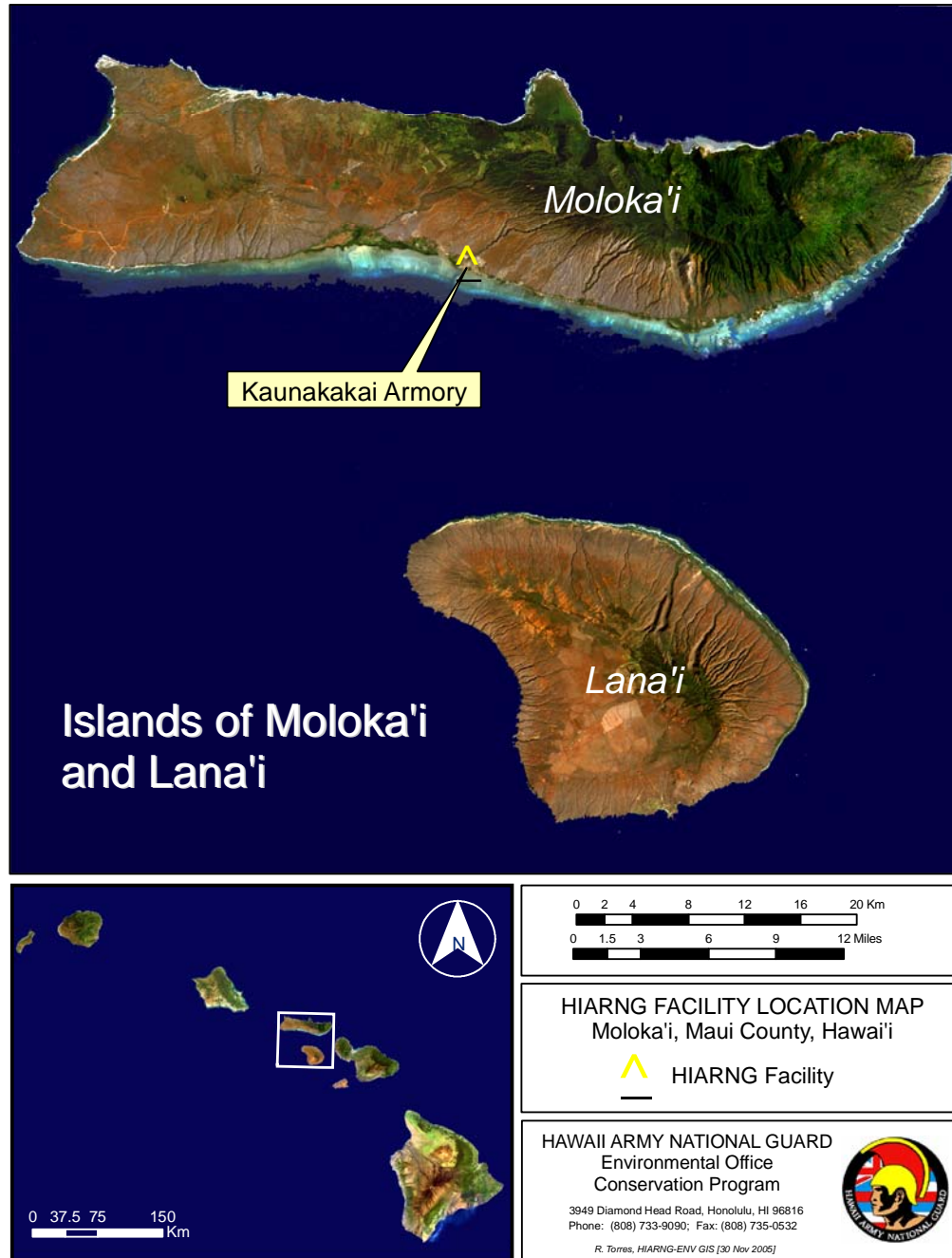


Figure 32: Geographic Map-Island of Moloka'i

8.4 ISLAND OF MOLOKA'I

8.4.1 Kaunakakai Armory and OMS #4

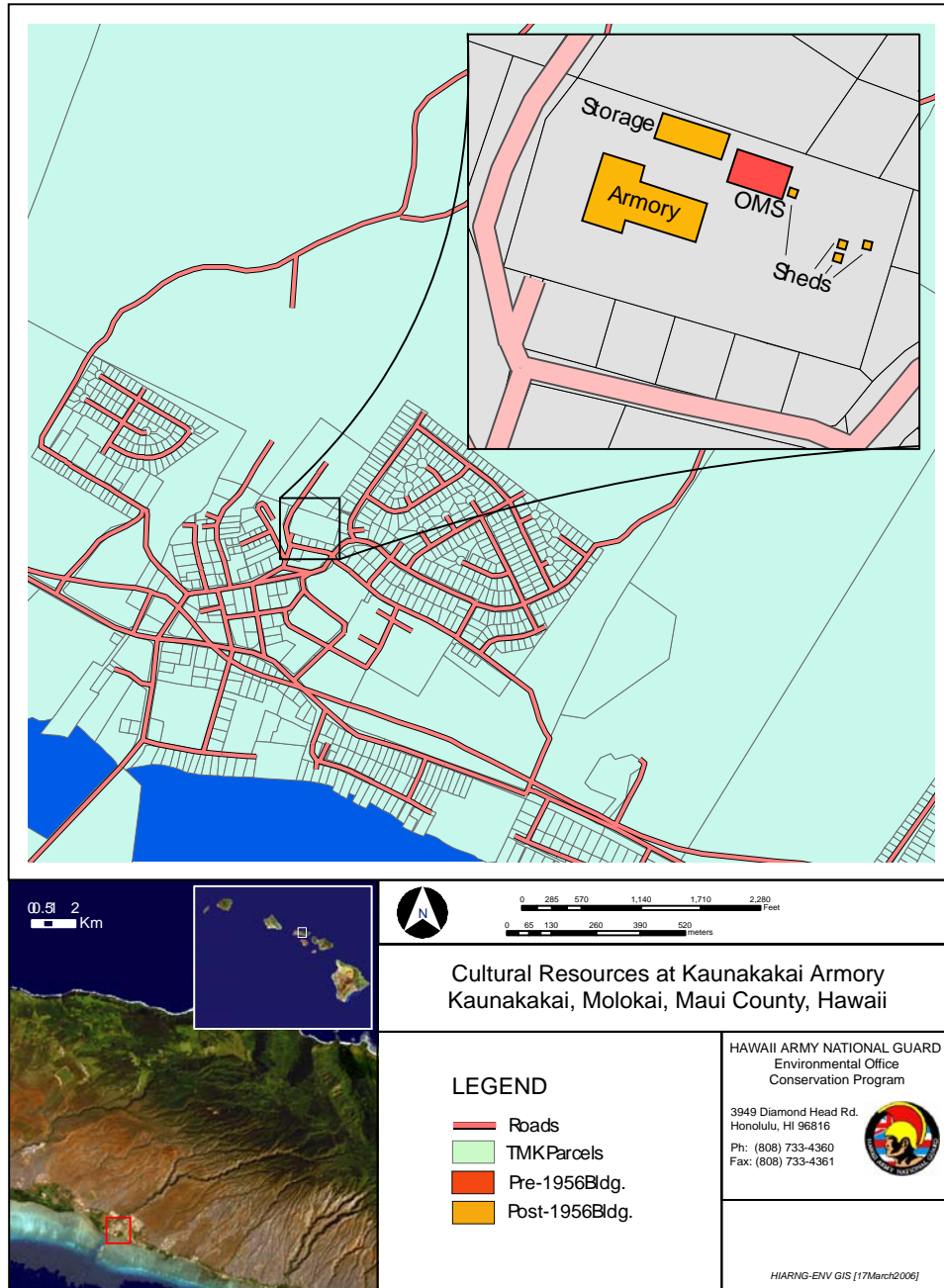


Figure 33: Facility Map-Kaunakakai Armory

District: County: Maui **Town/Area:** Kaunakakai

PRIDE Installation Code: 15A50

TMK #: 5-3-09: 07

Ownership: State

Total Acreage: Three (fenced)

Structures/Buildings: One Unit Armory (5,864 sq. ft., built in 1995); Storage Shed (2,124 sq. ft., built in 1989); OMS #4 (1,440 sq. ft., built in 1939)

- **Facility Historic Background**

Formally brought into service on April 26, 1937, Company K of the 299th Infantry of the Hawaii Army National Guard on Molokaʻi came under the command of Captain Frank Kinnison. The Molokaʻi National Guard Unit was comprised of more than 75 percent Hawaiians and part Hawaiians, a much higher percentage than any other unit in the Hawaii Army National Guard. Until construction of the armory in Kaunakakai, the unit originally occupied Hoʻolehue Hall in Hoʻolehue. Dedication of the new armory on March 5, 1939 occurred before a crowd of over 3,000 people and became the largest government building present on Molokaʻi at that time (Anderson, 1997).

- **Facility Description**

The facility consists of a new Armory built in 1996; an Organizational maintenance shop (OMS) built in 1939; and two flammable materials storehouses (FMSs), one constructed of concrete block in 1981 and one of wood in 1959. Attached to the OMS building is a general-purpose storage shed built in 1950. Remaining structures consist of a wash rack installed in 1950 and the historic cannon.

- **Description of Cultural Resources**

Historic Properties: The 1939 Armory had been determined eligible for the State and Federal Register of Historic Places; however, it was termite eaten and considered uneconomical to rehabilitate. As a result from Section 106 consultations, a new armory replaced the old in 1996 under a Memorandum of Agreement (MOA) between the NGB, HIARNG, SHPO, and the ACHP.

The Molokaʻi Cannon- The Molokaʻi Cannon is one of a battery of eight purchased by King David Kalakaua (1836-1891) from the Royal Monarch of Austria during his 1881 trip around the world (Anderson 1997). Each field piece represents one of the eight Hawaiian Islands. The eight brass field pieces were part of the defense system at Iolani Palace until the time of the Provisional Government, and were used against Native Hawaiian citizens during the counter-revolution of 1895. Company D, Artillery, Hawaii National Guard, received the cannon and they were in the HIARNG inventory as late as 1935; however, the Molokaʻi cannon is the only one that has been located.



Figure 34: *Photo-Moloka'i Cannon*

The remaining seven have been lost during the course of history. The eight cannons are associated with numerous historical events, perhaps most importantly the failed insurrection by Queen Liliuokalani in 1895 to halt the U.S. annexation of Hawai'i. The Moloka'i cannon represents the last piece of physical evidence connected with this event. Restoration of the cannon was entirely by volunteer Moloka'i Guardsmen. The cannon became part of a dedication ceremony on January 7, 1996, marking the completion of the newly constructed Moloka'i Armory and the restoration of the cannon.

The OMS Building- The OMS building is part of the original 1939 construction, when the original armory was constructed and used as a vehicle storage building and an OMS facility. It consists of a large shed with a sheet metal roof, and is classified a temporary structure. Demolishing temporary buildings requires consultation in accordance with an MOA (see Preservation and Mitigation Strategies).

Prehistoric Properties: There are no prehistoric archaeological resources present at this facility.

Previous Work: The HIARNG performed a HABS/HAER survey (completed in 1994) in accordance with the Memorandum of Agreement (MOA) for the demolition of the 1939 armory. The armory was replaced in 1995. The HIARNG also conducted a literature search (completed in 1997) aimed at identifying the history of the Moloka'i cannon.

Sensitivity Analysis: *Low Sensitivity* applies to areas where there is a low probability of archaeological sites. Most of the facility is considered a low sensitivity area with regard to archaeological sites, with the exception of two historic resources--the Moloka'i Cannon and the OMS building.

Medium Sensitivity applies to areas where there is a high probability of significant archaeological sites preservation. These include buried in situ deposits. The Moloka‘i Cannon and the OMS building fall under this level of sensitivity.

- **Preservation and Mitigation Strategies**

The Moloka‘i Cannon- Display of the Moloka‘i cannon in front of the Armory is required under a memorandum of agreement (MOA) between the HIARNG and the Moloka‘i Historical Society. Currently the cannon is stored in the OMS facility to protect it from wind and rain, but especially from corrosive salt spray from the nearby harbor. While the cannon is stored in the OMS, it is certain that surfaces, such as the metal barrel, are less subject to corrosion. Protective material, possibly permeated with chemicals to prevent rusting and corrosion, will also protect the barrel while in storage. The other components, such as the wooden wheels, require preventative measures to counter termite infestation, moisture, wood rot, and other destructive processes. A concrete pad for display was constructed in front of the new armory in accordance with the MOA, and lacks only the protective enclosure with signage explaining the history and the renovation of the cannon.

The Armory and the OMS Building- Under a Memorandum of Agreement (MOA) between the NGB, HIARNG, SHPO, and the ACHP, specific actions to mitigate adverse effects of the demolition of the old Armory satisfied all Section 106 requirements. The following actions were required by the MOA:

- 1) Photographs taken of the 1939 armory met the standards of the HABS before they were submitted to the Hawai‘i SHPO.
- 2) Original floor plans and architectural drawings for the Armory are available in the Hawaiian Collection of the Hamilton Library at the University of Hawai‘i at Manoa.
- 3) A plaque is mounted that commemorates the formation of Company C of the 299th Infantry, and the construction and dedication date of the Armory.

The OMS Building remains standing, however if in the future it needs to be demolished, the MOA should cover the Sect. 106 requirement. See the SOP section below.

- **Standard Operating Procedures (SOPs)**

If the OMS building is to be demolished, SOP #1 and #2 should be followed. An agreement between the HIARNG and the SHPO is on file at the SHPD, allowing for notification of the SHPO that Section 106 consultation has been completed for this building. The FEC should contact the CRM should repairs, maintenance, and other prophylactic measures be required to continue using the building.

ISLAND OF O'AHU

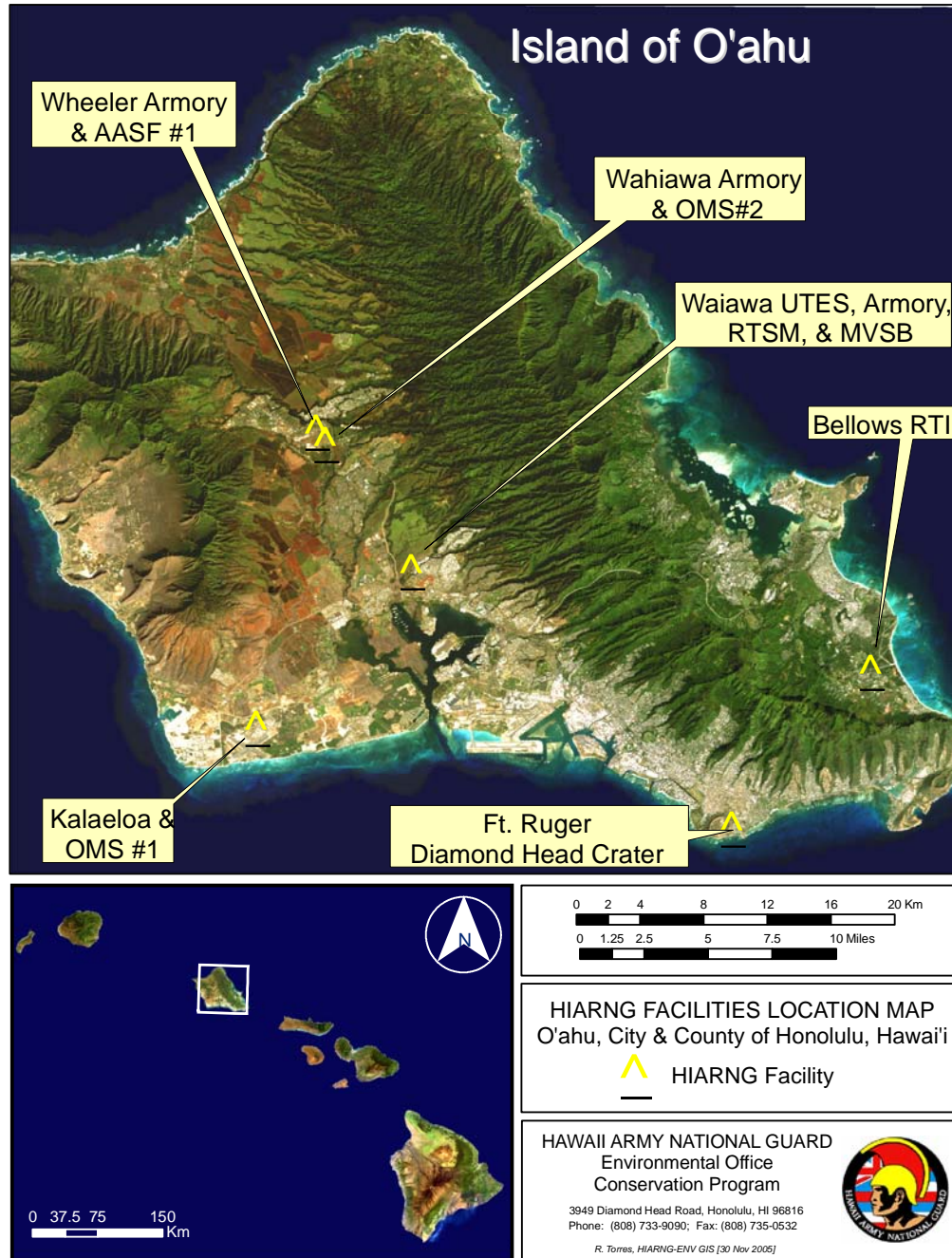


Figure 35: Geographic Map-Island of O'ahu

8.5 ISLAND OF O‘AHU

8.5.1 Regional Training Institute, Bellows Air Force Station

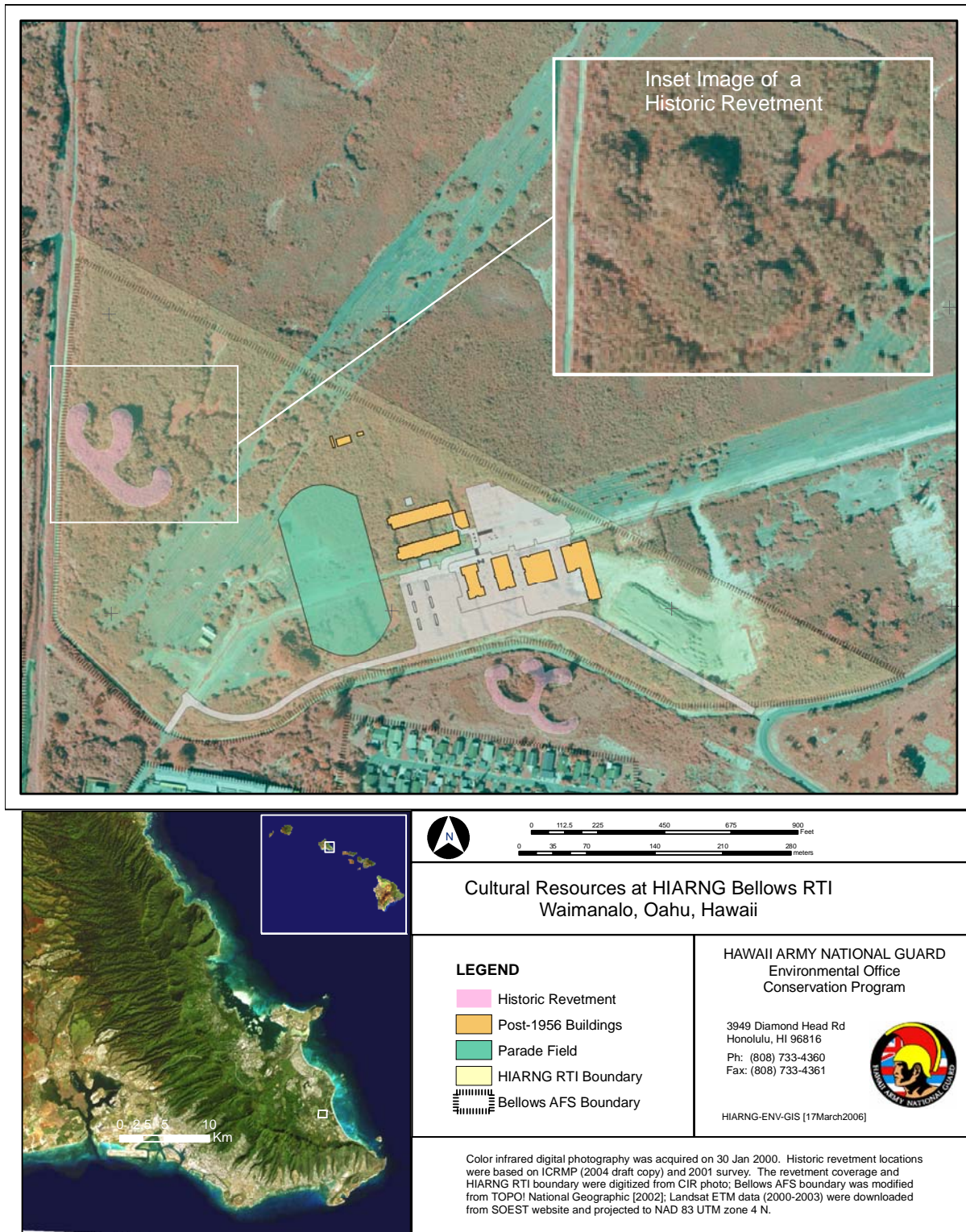


Figure 36: Facility Map-Regional Training Institute, Bellows Air Force Station

District: Koʻolaupoko **County:** Honolulu **Town/Area:** Waimanalo

PRIDE Installation Code: 15B05

Ownership: Federal (Marines-licensed to HIARNG)

Total Acreage: 48

Structures/Buildings: Headquarters 298th Regiment, Regional Training Institute (RTI) (10,933 sq ft., built in 2002)

- **Facility Historic Background and Description**

In 1850, Thomas Cummins obtained a lease for 970 acres of Crown lands in Waimanalo (Topolinski c.1980: 4.). He ran cattle on the property, then raised racehorses and built a racetrack. His son converted the ranch to sugar after sugar became Hawai‘i’s cash crop. He purchased cane from local Chinese farmers, built a mill, and in 1877 created the Waimanalo Sugar Company (WSC).

Waimanalo Military Reservation was created on March 28, 1917 by Executive Order No. 2565. Comprised of 1,500 acres, the reservation served as a training camp, an infantry bivouac, a practice range for the Coastal Artillery, and as a practice bombing range for the Army Air Corps. A single asphalt runway, 75 ft. wide and 983 ft. long, was built on the reservation by 1928 (Territorial Aeronautical Commission 1928). In 1933, the reservation became *Bellows Field* in honor of Second Lt. Franklin B. Bellows of the 50th Aero Squadron, killed in action during World War I. Army air and ground forces used Bellows for training and recreation, but few personnel were permanently stationed there. Bellows Field was established as a permanent military post July 22, 1941 (Farrell et al) and most facilities were constructed over the next two and a half years. Expansion began in March 1941, and by December 1941 the first long N/S runway was complete. Runway 6A, located on the south side of Waimanalo Stream, was extended to 2,200 ft (for a total 4,900 ft) to accommodate B-17 bombers. Facilities on the north side of Waimanalo Stream were complete by 1943. The field now had two runways; plane parking; two repair revetments at the north end of runway 18-36; numerous slot revetments constructed of earth and gunnite for fighter planes located at the southern end of runway 3L- 21R; and two taxiways connecting the runways by bridges over Waimanalo Stream.

Placed on caretaker status on 15 December 1948, the formal re-designation of *Bellows Field* as *Bellows Air Force Base* took place on March 26, 1948. The base remained on that status until 1951 when the Marines began using the base for training. The Air Force continues to use the back beach area as a recreational facility (Yoshishige, 1993). In 1961, the Army decided to augment air defense capabilities of the Hawaii Air National Guard's interceptor aircraft. Initial plans called for eight firing batteries of Nike-Hercules missiles at six different locations. The 112-acre Bellows launch site was built behind the beach at the southern end of Bellows; the permanent dual control site was located on Waimanalo Pali at the north end of Kamehameha Ridge (Farrell, et al 1997). Dedicated on 4 March 1961, this activity continued until December 9, 1969 when the HIARNG was relieved of its air defense mission (Adjutant General of Hawai‘i 1970; Stone 1961; von Hoften 1970: 108). The O‘ahu launch sites were entirely above ground in contrast to the CONUS operations that usually supplied underground magazines. In addition, O‘ahu Defense was totally a National Guard operation, thus the batteries were not permanently manned. Instead, HIARNG air defense

technicians lived in off-base housing, going to their tactical sites for a 24-hour period when assuming *hot status*, or on drill weekend duty. The HIARNG activated a *General Supply Company* and a *Light maintenance Company* on April 1 1970, and moved them onto the Nike site in June, 1970.

In 1987, the HIARNG's *Hawai'i Military Academy* moved to the Nike site administration area from Fort Ruger (Farrell, et al 1997)). Training and instruction consisted of officer candidates on drill weekends, military occupational specialty (MOS) training, and instructor development classes. Participants included Army National Guard and Reserve troops from Hawai'i, Alaska, American Samoa, and Guam (Yoshishige, 1992).

- **Description of Cultural Resources**

Historic Properties:

B-17 Revetment- Before December 7, 1941, the military thought the greatest threat to planes was from sabotage. Planes were tethered closely together in order to guard them more efficiently. The revetments were built in response to the Japanese attack on December 7, 1941 when planes parked in the open and close together were destroyed by aerial bombardment. In order to separate and protect the planes, twenty-one B-17 revetments of sand, coral, and gunnite were built in locations around the base. A single well-preserved example is located on the new RTI site. These revetments are a distinctive building type, associated with the period of World War II. They are semi-octagonal, with an opening of 138 ft., a back wall width of 55 ft., a length of 88 ft., and a height of at least 20 ft. The floors within are paved with asphalt or gravel. There are protective personnel bunkers designed to provide access to both sides of the revetments. These revetments have been found to be eligible for the NRHP (Farrell et al, 1997).



Figure 37: *Photo-Gunnite Interior Wall of Revetment*



Figure 38: Photo-Gunnite Outer Wall of Revetment

Prehistoric Properties: In the mid-1800's, livestock ranching and then the cultivation of sugar changed the valley floor, leaving little or no trace of former village life associated with the LCAs on the edge of Bellows. In the conversion to sugar, the kuleana and LCAs located at the southern end of the base were sold by their Hawaiian owners. These families then moved out of the area, and today many of the residents of present day Waimanalo are descendants of plantation workers from ethnic groups brought to Hawai'i to work on sugar plantations.

State Site 50-80-15-5716- This site is a deeply buried, small deposit of seven waste flakes and burned coral. Recorded during the *inventory level sub-surface investigations*, the site lies at least 13 feet below the surface in a hollow below the lithified sand dunes that extend across the area below the runway. This site will not be impacted by construction of the RTI in any way (Tuggle and Dye, 1998).

Previous Work: Bellows AFB is the site of the alleged earliest date of occupation in the Hawaiian Islands, Site O18, or the Waimanalo Dunes site with a date of 300-600 A.D. (Pearson, et al 1971). Extensive archaeological investigations have been conducted on the beachfront area resulting in extensive impacts to burials. The beach area has undergone an acceptable amount of archaeological inventory surveys, so site types are known.

No archaeological surveys were conducted on the HIARNG parcel at the time the RTI was proposed, although a survey was conducted for the erection of 18 antennas associated with the Air Force's AIRCOM facility where the two runways cross east of the RTI (Hammatt and Shideler, 1986) and no cultural resources were recorded at that time.

As a result of sensitive NAGPRA issues, and as part of Section 106 consultation, an *inventory level archaeological survey* (completed in 1998) was conducted on the site. No trace of archaeological remains indicative of historic activities on the LTAs were recorded, however a deeply buried prehistoric deposit is located under the runway. Other sites include

a fence line and paddock associated with cattle ranching in the 1950's, and the B-17 revetments. These resources are covered under the *Air Force Cultural Resources Management Plan (CRMP)*. An *ethnographic study* is being conducted to augment and supplement the findings in the survey, under the direction of OHA.

Waimanalo Ethnography- As part of an agreement between the Office of Hawaiian Affairs and the HIARNG, an ethnography regarding the use of the LCAs located on the RTI property by the Hawaiian owners after the Great Mahele distribution in 1848 will be examined. During the development of the EA and in conducting the inventory survey, OHA was concerned that this facet of the cultural landscape was being ignored. As part of an agreement (as an addendum to the inventory report) the ethnography will include:

- 1) A completed title search to identify the length of ownership of each LCA and the chain of title for each;
- 2) The names of the descendents of the owners for research; and
- 3) Names of people that the ethnographer can contact regarding early activities in Waimanalo after the sugar company loosened its grip on the countryside and when many Native Hawaiians rejoined the community.

Sensitivity Analysis: *Medium Sensitivity* applies to areas where there is a high probability of significant archaeological site preservation. These include buried, *in situ* deposits. There is a single area of high sensitivity associated with this facility. This is a remnant *lo'i* soil associated with historic and possibly prehistoric agricultural activities on the LCAs. This soil deposit lies approximately eight feet below surface at the southwest end of the runway.

Low Sensitivity applies to areas where there is a low probability of archaeological sites. All other areas, with the exception of the revetments within this facility, are considered low sensitivity.

- **Preservation and Mitigation Strategies**

Activities which may impact areas considered *high and medium sensitivity* include:

- ✓ Placement of fence posts or utility poles
- ✓ Grubbing of roots and tree removal in undeveloped areas
- ✓ Digging defensive positions (personnel-sized or larger) during military training
- ✓ New facilities construction or development
- ✓ Underground utilities and pipeline construction
- ✓ Landscaping
- ✓ Land use permits, leases, licenses, or right-of-way easements which allow for construction and/or maintenance of facilities
- ✓ Hazardous waste remediation

- **Standard Operating Procedures (SOPs)**

Undertaking	User Groups	SOP to Use
Military Training	Marines HIARNG	SOP #3, SOP #5, SOP #6, SOP #7, SOP #8
Facilities development and maintenance	HIARNG	SOP #1, SOP #2, SOP #3, SOP #4

Table 11. SOPs for Bellows Military Undertakings

Monitored Activities: The following undertakings at Bellows Air Force Station may have an effect on properties potentially eligible for the NRHP. A SHPO approved monitoring plan to mitigate impacts on the sites located on the RTI property, and in case of inadvertent discovery of human remains, has been approved and is included in the *inventory level survey report*.

Actions that should be monitored for impacts include:

- ✓ Public access for recreation;
- ✓ Activities of private individuals, business, or agencies who are granted permits, leases, licenses, easements, or right-of-ways;
- ✓ Environmental compliance and management programs which involve ground disturbances, such as hazardous waste identification and remediation or stream vegetation removal for flood control;
- ✓ Transfer of lands; and
- ✓ Archaeological field investigations

Unanticipated Discoveries: In the event that archaeological resources, including human burials, are inadvertently discovered, the procedures outlined in the *Monitoring Plan* and SOP should be followed after consultation with the SHPO, the Air Force Historic Preservation Officer (HPO), and the O‘ahu Burial Council.

8.5.2 Fort Ruger/Diamond Head Crater (DHC)

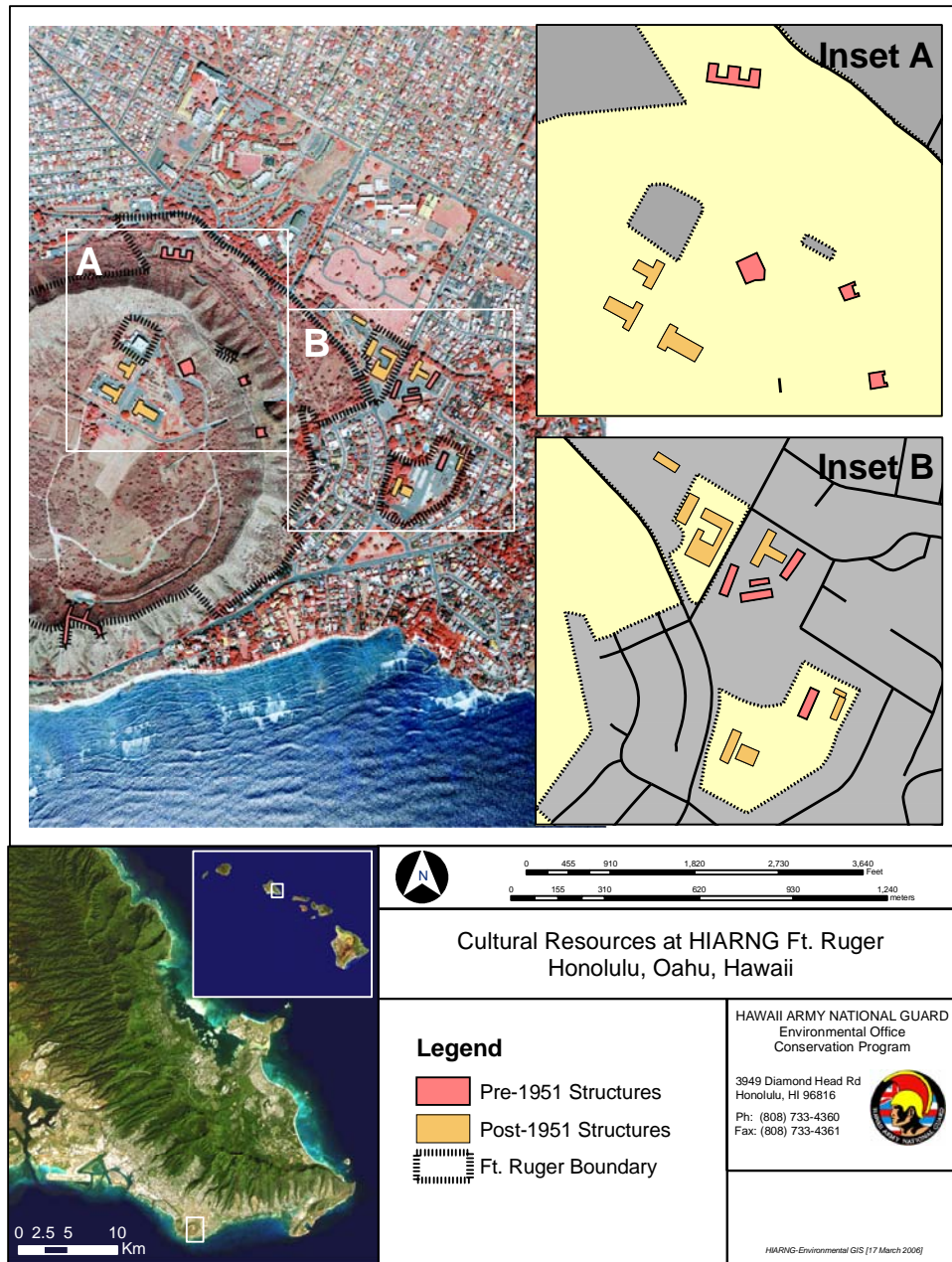


Figure 39: Facility Map-Fort Ruger/Diamond Head Crater (DHC)

District: Honolulu **County:** Honolulu **Town/Area:** Honolulu

Pride Installation Code: 15A20

TMK #: 3 - 1 - 42: 18, 19, 27, 35

Ownership: State

Total Acreage: 336.85

Structures/Buildings: USPFO (2,594 sq. ft., built in 1964); JFHQ (11,314 sq. ft., built in 1978); CSMS #1/ STMP (19,443 sq. ft., built in 1964); Five-unit Armory (14,232 sq. ft., built in 1962)

- **Facility Historic Background and Description**

Prehistorically, Diamond Head was known as Leahi, the exact meaning of which is uncertain. It is said that Hi'iaka, the younger sister of the goddess Pele, compared the shape of the mountain to the *lae* (brow) of the *ahi* (tuna). Other translations include "fire headland" or "wreath of fire," possibly referring to the ancient practice of keeping a fire burning at the crest to help guide canoe fleets bound for O'ahu. In the early 1800s, Leahi was renamed Diamond Head in reference to British sailors who mistook the calcite crystals found in the crater for diamonds. At least five heiau, or ancient temples, were built on or near Diamond Head. Papa'ena'ena, located on the seaward slope of Diamond Head, was the most prominent and the site of human sacrifices. Erected by King Kahekili after his conquest of O'ahu, Kamehameha I sacrificed Kahekili's son Kalanikupule there along with those chiefs of O'ahu defeated at the final battle at Nu'uaniu Pali. Kamehameha's nephew Kanihonui was sacrificed at Papa'ena'ena for breaking *kapu* (taboo) with Queen Ka'ahumanu. Other heiau included Ahi, the site at Leahi's peak where the navigation fire was kept lit; Pahu-A-Maui, a fisherman shrine near the present day Diamond Head lighthouse; and two near Kapiolani Park, Kapua and Kapalaha. Diamond Head was also used for *holua* (sled) sliding, a favorite pastime among the Hawaiians. O'ahu chiefs put criminals to death by throwing them from Leahi's summit. In 1898, Ft. Ruger became the first military reservation in the Territory of Hawai'i (Allen and Shideler 1996). Dedicated to the Army Corps of Engineer's, cavalry, and artillery units, the reservation became part of the Pacific Coastal Defense System mandated by President Roosevelt. Ft. Ruger is the location of Battery Harlow, the oldest coastal battery in Hawai'i, and the last of its kind in the world. Battery Harlow is the first structure built at Ft. Ruger and is the cornerstone for seven batteries within Diamond Head Crater. The size of Ft. Ruger ebbed and flowed according to WWI and WWII. By the 1970's, most of the structures on the reservation had been demolished. Only concrete pads and basalt and mortar walls mark large areas where housing, a Chinese school, a bowling alley, tennis courts, a swimming pool, a gas station, and other recreational and military structures stood. In 1962, the State established Diamond Head Crater as a State Monument and in 1968 designated it a National Natural Landmark, placed under the control of the Hawai'i State Parks. The State Monument, and all the facilities associated with the Hawaiian Seacoast Defense System, is on the State Register of Historic Places and the NRHP.

The following timeline tracks the establishment, use, and closing of Ft. Ruger:

DATE	ACTIVITY
1898	First Military Instructing, Camp McKinley.
1904	U.S. purchased 729 acres for \$3,300 and additional land purchased to make 755 acres for Coastal Artillery companies.
1907	Construction of mortar batteries, bunkers, gun mounts, storage tunnels, OPs, and communications rooms.
1908 to 1910	Stairs to 763 foot summit and fire control system to direct guns from Wai'anae to Koko Head built. Cable car system to move men, supplies, and 9 billets to housemen. Forty foot stairs lead to 225 foot long tunnel and 99 more steps. There were four levels of fire control stations at Ft. DeRussy and Batteries Randolph and Dudley.
1909	Ft. Ruger named for MG Thomas H. Ruger, a Civil War hero.
1909	105 th and 159 th Coast Artillery Companies occupy tents beginning 14 August.
1910	Battery Harlow completed in February. Holds two mortar pits, each with four 12" mortars.
1911	Permanent buildings constructed.
1914-1915	Battery Dodge completed with two 4.72" caliber, 16' 2" guns that had been installed in 1898.
1916	Hawai'i Civil Defense occupies Battery Berkheimer in DHC. Battery chosen because of its location within a tunnel eight feet thick, with 14,728 square feet available underground, four to six foot thick walls, and water storage capabilities.
1917	Ft. Ruger infrastructure completed.
1920-1922	Third Balloon Company continued construction.
1930	Anti-aircraft guns installed.
1940	Camouflage nets used to conceal trails.
1941	Twelve (12") mortars and several three inch guns installed within the crater and at Black Point, Gun Park, and other locations around Ft. Ruger. Ft. Ruger becomes HQ for the Hawai'i Coast Artillery Command.
1943	Construction on Battery 407 commences. Two 8" anti aircraft guns not installed.
1950	Military area closed down and opened to the public. All guns dismantled and removed. Reservation turned over to the HIARNG. Robert C. Stevenson, Commander, 298 th RCT, takes charge of Ft. Ruger on 15 February from units of the HIARNG 298 th RCT and 613 th motor maintenance. Ordnance Company and State HQ staff quartered at Ft. Ruger.
1955	EO returns 595 acres of Ft. Ruger to the Territory of Hawai'i for use by the HIARNG. Army retains 80 acres for officer and enlisted personnel quarters, the Cannon Club, theater, and warehouses.
1961	The FAA Air Route Traffic Control Center built in the center of the crater.
1974	Army deeds 51.6 acres on 23 July to State for \$5.4 million in order to construct Kapiolani Community College (KCC).
1977	The HIARNG removes cannon acquired from Battery Dodge from Army HQ at Ft. Ruger and displays them at 487 th Artillery armory on 22 nd Ave.
1993	Wahiawa armory expansion for the 487 th Artillery includes display of the cannon at this armory.

Table 12. Time Line for Ft. Ruger

- **Description of Cultural Resources**

Historic Properties: As Hawai'i's first military installation, Ft. Ruger contained extensive infrastructure including water, electricity, and roads, as well as housing, recreational facilities, administration and supply areas, hobby shops, a restaurant, and other facilities related to a fully functional military base. The entire ground level infrastructure has been removed. The only extant buildings related to WWI and WWII outside the crater in Ft. Ruger are the Chapel (now part of Kapiolani Community College), the Ft Ruger theater (now the Diamond Head Theater), and Battery Harlow. The remaining batteries and other historic

structures lie within the crater in the State Monument area. A forthcoming Master Plan for the monument includes taking over Batteries 407 and Harlow once the HIARNG abandons Ft. Ruger and the land is returned to the state. Various pads, rock walls, and roads still remain, and are currently being recorded for a GIS map.

The following table lists the historic structures on the former Ft. Ruger including those within the crater:

Structure	Location	Date Built
Battery Harlow	Diamond Head Road	1906
Battery 407	Diamond Head Crater	1943
Battery Berkhimer	Diamond Head Crater	1916
Armory	22 nd Avenue	1962
JFHQ Headquarters	Diamond Head Road	
STMP	Diamond Head Road	
USPFO	Diamond Head Crater	1964
CSMS	Diamond Head Crater	1964
WMD	Diamond Head Crater	
State maintenance facility	Diamond Head Road	

Table 13. Structures under HIARNG Control at Ft. Ruger



Figure 40: Photo-Mortar Pit at Battery Harlow

Prehistoric Properties: There are no known prehistoric resources at Ft. Ruger. Phases of military construction over the course of the past 100 years and park use since the 1960's has obliterated any prehistoric resources.

Previous Work: Diamond Head has been extensively surveyed as part of facilities infrastructure changes and as part of a new master plan. No prehistoric resources have been recorded (Tomanari-Tuggle and Blankfein 1998). A *Feasibility Study* was conducted (completed in 1998) for Battery Harlow.

Sensitivity Analysis: *Medium Sensitivity* applies as several historic buildings related to the 100 year occupation by the U.S. Army could be impacted.

- **Preservation and Mitigation Strategies**

The primary mitigation measure will be the Mitigation Plan for the Abandonment of Ft. Ruger. This plan addresses the impacts that are caused by the removal of the HIARNG to new quarters at Kalaeloa, especially the impacts to the historic batteries and the former HIARNG buildings along 22nd street. The Mitigation Plan is not complete and will be included in the next update of the ICRMP.

- **Standard Operating Procedures (SOPs)**

The HIARNG buildings are covered under SOPs #1, #2, #3, #4, and #7, as abandonment of the facility is an undertaking. A mitigation plan for the abandonment of Ft. will compiled as part of the ICRMP update.

8.5.3 Kalaeloa

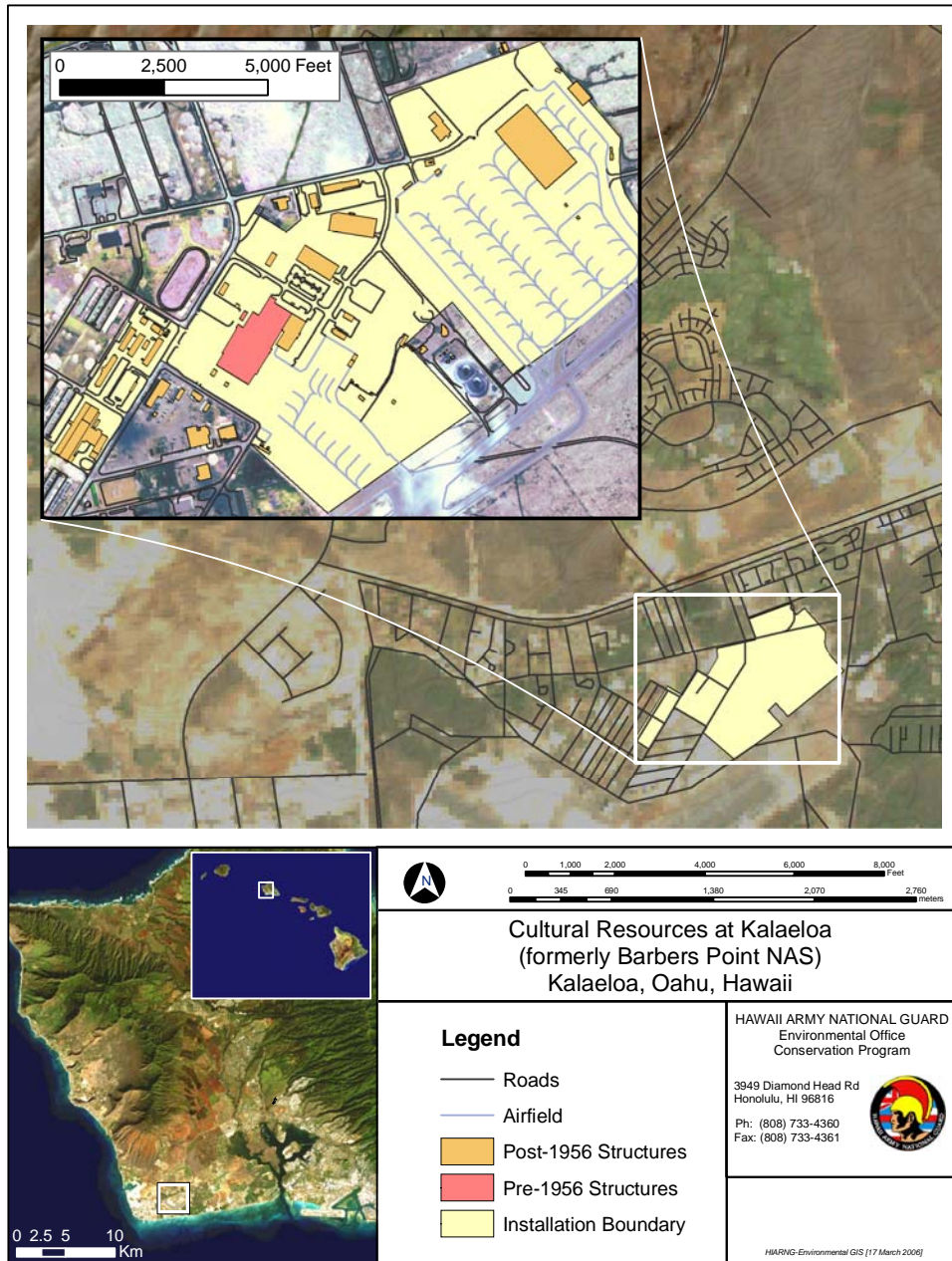


Figure 41: Facility Map-Kalaeloa

District: Ewa **County:** Honolulu **Town/Area:** Kapolei

PRIDE Installation Code: 15001

Ownership: Federal (Dept. of the Army)

Total Acreage: 147 acres

Structures/Buildings: See Facility Description

- **Facility Historic Background**

In 1932, a portion of the Ewa Plain was acquired by the military for a dirigible mooring mast field. Commissioned on April 15, 1942 Barbers Point Naval Air Station's initial goal was to support the air station locate on Ford Island in Pearl Harbor. At the start of WWII, the base expanded to accommodate four carrier groups and built housing for 5,650 personnel and expanded its mission to aircraft repair. At one point it was believed that Barbers Point controlled more take-offs and landings in a 24-hour period than any other air field in the world, and engines were overhauled at the rate of 1,100 engines in six months (Denfeld, 1995).

In 1946 at the start of the Cold War, Barbers Point's mission again changed to that of the main Pacific air station. Its missions included air patrols, headquarters for Fleet Air Hawai'i, all-weather training, logistics, and fleet air service (Denfeld, 1995). The base became the home for the Orion P-3V.

In July 1958 Barbers Point became the headquarters of the Pacific Airborne Command as part of the Distant Early Warning Line (part of the Pacific Barrier Force Mission) with planes flying a 3,000 mile long radar flight seven days a week and 24 hours per day to prevent Soviet bombers from getting through. This Barrier force mission ceased operating in 1965. In 1968, VQ-3 became part of the Barbers Point mission, with the responsibility of maintaining communications with US submarines in a "post-nuclear" environment (Denfeld, 1995).

By 1989 the end of the Cold War resulted in discontinuing antisubmarine patrols. The base was finally chosen as a BRAC candidate and realignment was completed by 1999, with 150 acres conveyed from the Navy to the Department of the Army. The Hawai'i Army National Guard has a license from the DOA (and therefore the land is Federally-owned) to use 147 of these acres, with the other three acres licensed to the Hawai'i Air National Guard.

- **Facility Description**

The following table lists all the buildings at Kalaeloa under HIARNG stewardship. An assessment will determine what the buildings are to be used for. This table includes the building number, function, year built, historic era, command, and what historic significance category (using TM 5-801-1) they fall into:

Bldg. No.	Function	Year built	Era	Command	Category
282	Hangar	1958	Cold War	OPACS*	I
1874	Operational Trainer	1982	Cold War	OPACS	III
1869	Auto Hobby Shop	1980	Cold War	C*	III
1895	Avionics Shop	1986	Cold War	OPACS	III
1935	LOX/Nitrogen	1985	Cold War	OPACS	III
1930	Ground Support Storage	1987	Cold War	OPACS	III
666	Storage	1949	Cold War	OPACS	III
1785	Bachelor Enlisted Barracks	1963	Cold War	C	III
1787	Bachelor Enlisted Barracks	1973	Cold War	C	III
1786	Bachelor Enlisted Barracks	1973	Cold War	C	III
1784	Bachelor Enlisted Barracks	1963	Cold War	C	III
46	Enlisted Barracks	1957	Cold War	OPACS	III
19	Enlisted Dining and Gym	1953	Cold War	C	III
117	Plane repair and maintenance hangar	1941	WWII	WWII	I

Table 14. Historic Buildings under HIARNG Control at Kalaeloa

OPACS = Operations and Aircraft Support C= Community

- **Description of Cultural Resources**

Historic Properties:

Building 117- This was built in 1944 as part of the facilities at NAS Barbers Point involved in the repair and assembly of WWII carrier planes. This building is classified as a Category I (property of major importance) structure eligible for the NRHP under criterion A and C (Tuggle, et al 1999).



Figure 42: Photo-Building 117 at Kalaeloa

Building 282- This is one of the two major structures associated with the Pacific Barrier Command in the service and maintenance of the Warning Star aircraft that provided around the clock surveillance of the Pacific Ocean during the Cold War. It has been assessed and is listed as a Category I (property of major importance) structure. The remaining Cold War era buildings are classified as Category III (properties of minor importance).



Figure 43: Photo-Building 282 at Kalaeloa

Prehistoric Properties:

Sinkholes- There are three sinkholes located next to Wolverine Road, immediately adjacent to the southwest fence line for Building 282. One is very shallow and appears modified by coral blocks. Another is approximately six ft. deep with a large *kiawe* (mesquite) tree growing from it. The third is a shaft sinkhole approximately 20 ft. deep with an earthen floor. These sinkholes may have played an important role with Native Hawaiian hunting and habitation activities in the area, and may contain archaeological sediments including paleontological remains. A project is projected to be submitted for FY06 to investigate these sinkholes after consultation with the SHPD and the O‘ahu Island Burial Council to determine the scope of work for assessment of these features. Other upcoming projects include monitoring and protective signage to be placed near these sinkholes, including other archaeological sites at KMR and at the Kea‘au Armory, to prevent impacts by training and the public.

Previous Work: Previous work is too extensive to list here. It includes an EIS, a baseline survey, and numerous archaeological surveys. The most relevant to this document is an *inventory level survey* conducted by Haun (1998) that includes the area occupied by the HIARNG. This survey determined that no archaeological sites existed on the property, as the area with the three sinkholes was determined to be bulldozed and was not included in the pedestrian survey. A HABS/HAER survey (completed in 1995) conducted by Mason Architects is the basis for the significance determinations for Buildings 117 and 282. Mitigation measures recommended in the survey are used as the basis for the sensitivity analysis. A completed Cultural Resources Management Plan is the basis for mitigative measures and SOPs (Tuggle, 1999).

Sensitivity Analysis: *High Sensitivity* applies to areas of known or inferred archaeological and traditional features that may exist at this facility. The area containing the sinkholes is considered high sensitivity.

Medium Sensitivity applies to the resources built during the Cold War and WWII. Buildings 117 and 282 are Category I buildings and fall under this sensitivity level. The HABS/HAER assessment is complete, and procedures requiring consultation are listed in Table 14 below.

- **Preservation and Mitigation Strategies**

Most of the property occupied by the HIARNG was included in an archaeological survey. Unrecorded at the time of the survey, the three sinkholes were missed as they lie on property adjacent to a road. One of the sinkholes is quite deep, and poses a threat to anyone walking in the area. A wall or fence placed around this sinkhole will contain signage explaining the significance of sinkholes in prehistoric Native Hawaiian hunting and habitation activities on the Ewa plain.

Landscape alterations to recreational areas or parade grounds, installations entryways, and major thoroughfares
Exterior alterations, renovations, or repairs. This includes: replacement of the historic building exterior elements, such as roofing or wall material, window, or door, light feature, railing, etc. Painting a structure a different color than the existing color and adding tinting material to window panes
Interior alterations that could impact significant interior features or character defining features, impact structural integrity or exterior appearance
Building maintenance or repair activities

Table 15. Actions Requiring Section 106 Consultation at Kalaeloa

Activity or work conducted outside significant sites or outside low, medium, and high-sensitivity areas
Landscape or site alterations that do not alter heritage trees
Excavations for repair or replacement of building footings or foundations work within two feet of existing footings and foundations.
Energy conservation or safety efforts that are not visible or alter or detract from those qualities that make the resource significant under NHPA
Maintenance or repair work that is not visible on the exterior of the structure or is located in the interior areas that have no contributing interior architectural features
Removal of non-original, intrusive, surface-applied elements such as exterior, wall-mounted conduit, pipes, wiring and junction boxes
Replacement, removal, or upgrading of electrical wiring

Table 16. Actions *Not* Requiring Section 106 Consultation at Kalaeloa

Other actions requiring review will be sent to the CRM for recommendation for additional steps to comply with Section 106.

- **Standard Operating Procedures (SOPs)**

SOP #1 and #2 should be followed for all historic buildings at Kalaeloa. Refer to Tables 15 and 16 above for actions which may or may not require Section 106 consultation. Activities that do not require Section 106 consultation are exempt.

The three sinkholes have been mapped, but permanent fencing and signage explaining the significance of sinkholes in prehistoric Native Hawaiian hunting and habitation activities on the Ewa plain is needed. Avoidance of the site containing the three sinkholes is best until an *archaeological survey* is completed and the cultural resources (if any) within the sinkholes are known. Until then, all personnel should exercise caution in the immediate area surrounding the site.

8.5.4 Wahiawa Armory and OMS #2

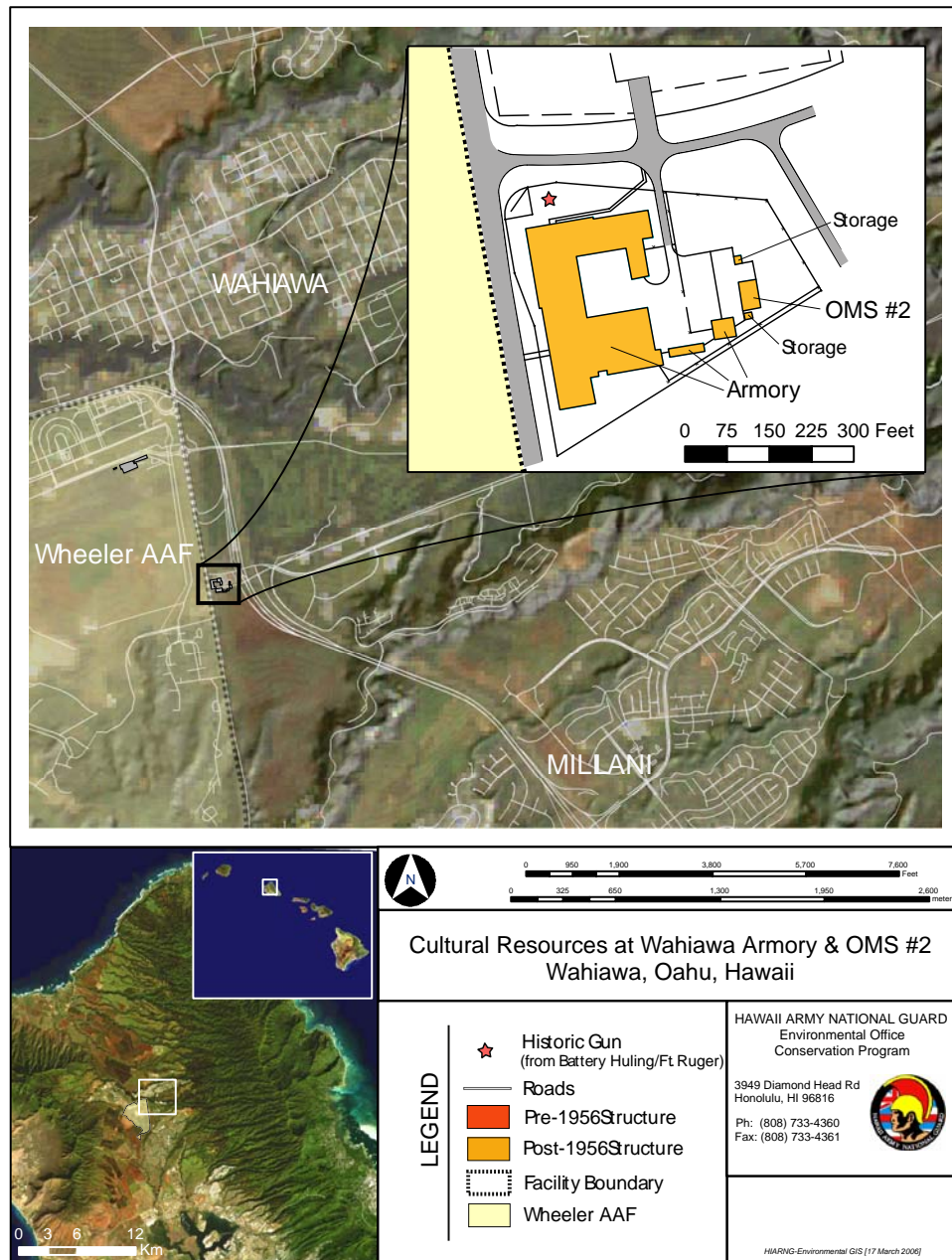


Figure 44: Facility Map-Wahiawa Armory and OMS #2

District: Ewa **County:** Honolulu**Town/Area:** Kapolei

PRIDE Installation Code: 15A90

TMK #: 7 - 6 - 01: 02 (Armory)

Ownership: State (Armory-Four acres); Federal (Park and Ride-Six acres)

Total Acreage: 10

Structures/Buildings: Armory (60,179 sq. ft., built in 1958); OMS #2 (1,952 sq. ft., built in 1952); Vehicle maintenance shop (1,543 sq. ft., built in 1973); General Armory Instruction Building (1,024 sq. ft., built in 1952).

- **Facility Historic Background**

The Wahiawa Armory is located at the intersection of Kamehameha Highway and the H1 freeway. This parcel is the former location of the OR&L Pine Spur Siding that connected the main line of the railroad from Waipahu to Wahiawa with a plantation camp to the east. Realignment of Kamehameha Highway and the building of the H2 freeway have obliterated any trace of the railroad ROW. The facility lies immediately east of Wheeler Army Airfield.



Figure 45: Photo-Wahiawa Armory with Battery Huling Cannons and Wheeled Cannon

- **Facility Description**

This facility consists of a five-unit armory, an MVSB, an Operational maintenance shop (OMS) with the related infrastructure such as a wash platform, a classroom building, sheds,

and parking lots on either side of the Interstate H2 exit. Two cannons from Battery Huling at Ft. Ruger in Diamond Head Crater are mounted on the lawn in front of the armory.

- **Description of Cultural Resources**

Historic Properties:

Battery Huling Cannons: Two cannons are mounted on concrete caissons in front of the armory, but were once mounted at Battery Huling at Fort Ruger in Diamond Head crater. Battery Huling is a part of the Endicott phase of pre-WWI Hawaiian Sea Coast defense system constructed at Ft. Ruger and throughout the island to guard the Hawaiian Territory from enemy invasion prior to World War I (Allen and Shideler 1997).



Figure 46: Photo-View of Cannons at Wahiawa Armory

Prehistoric Properties: The extensive landform changes created by sugar and pineapple cultivation, the building of the railway depot, the realignment of Kamehameha Highway and Wheeler Army Air Base, and the construction of the armory has obliterated any prehistoric resources that may have been present at the facility.

Previous Work: No archaeological surveys were conducted prior to the construction of the facility.

Sensitivity Analysis: *Low Sensitivity* applies to areas where there is a low probability of archaeological sites. Low sensitivity areas include the entire facility.



Figure 47: *Photo-Information on the barrel of one of two cannons from Battery Huling*

- **Preservation and Mitigation Strategies**

There are no historic buildings at this facility. The two cannons from Battery Huling should be preserved and studied to provide information on mounting and overall preservation, including the removal of paint from the barrel and preservation of the mechanism. The wheeled cannon should also be studied to identify the type, age, and condition.

- **Standard Operating Procedures (SOPs)**

Since there are no historic buildings and no pre-historic resources at this facility, SOPs are not applicable at this time. All three cannons are examples of historic resources, and SOP #2 should be followed for restoration and preservation of the two cannons (originally from Battery Huling) on display in front of the armory.

8.5.5 Waiawa Gulch/UTES

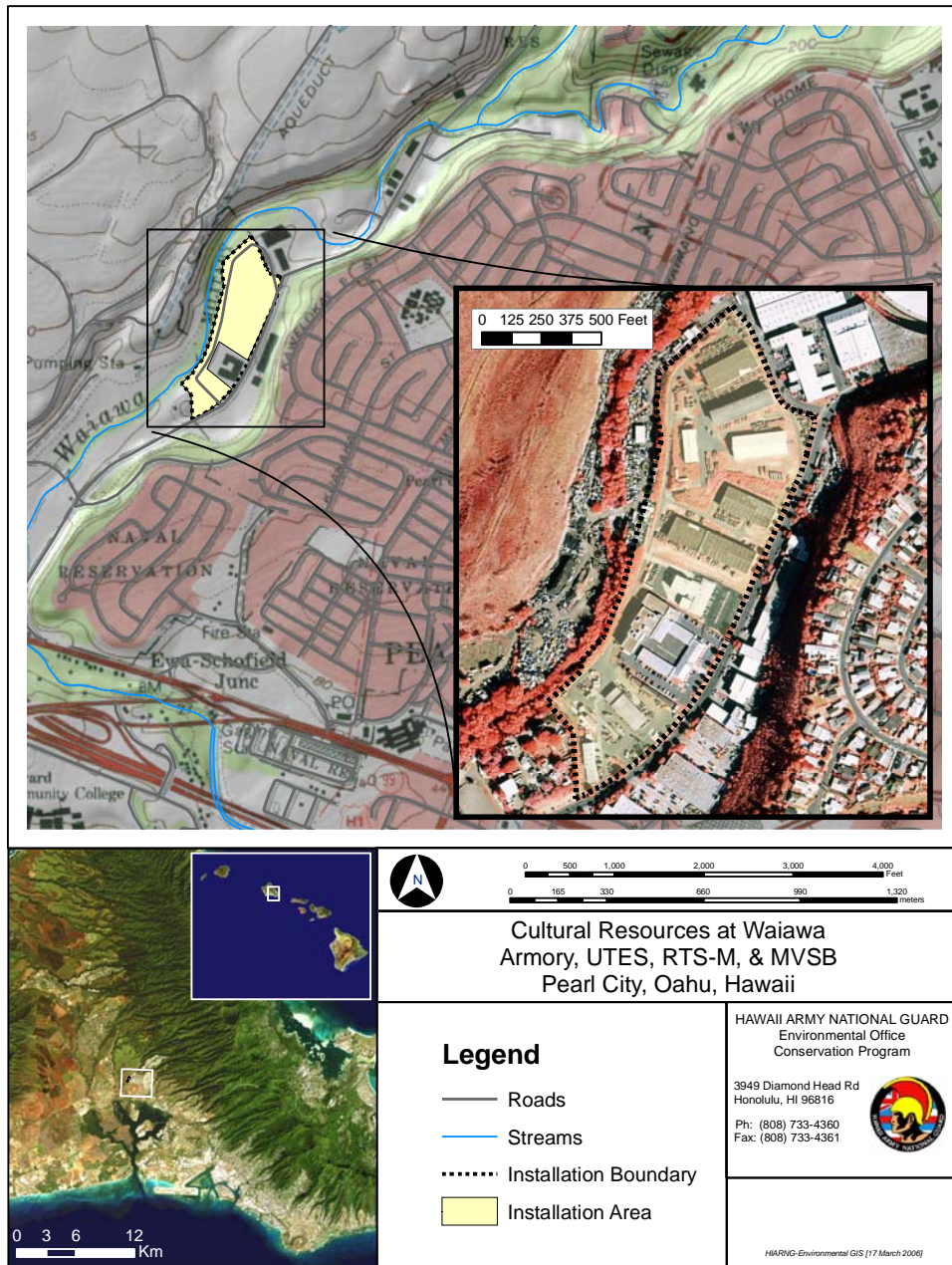


Figure 48: Facility Map-Waiawa Gulch/UTES

District: Ewa **County:** Honolulu **Town/Area:** Pearl City

PRIDE Installation Code: 15993

TMK #: 9 - 6 - 4: 15, 20 (State land)

Ownership: Federal (Army-19 acres) and State (Three acres-Armory)

Total Acreage: 22

Structures/Buildings: Armory (21,549 sq. ft., built in 1974); Regional Training Site maintenance (15,618 sq. ft., built in 1995); Five Warehouses

- **Facility Historic Background**

The Naval Aviation Supply Depot at Waiawa Gulch (NASD Waiawa Gulch) was one of many supply depots built by the Navy in Hawai‘i in response to the tremendous need for additional storage facilities (to support military installations in Hawai‘i and in the South Pacific) following the Japanese attack in December of 1941. It was activated on July 31, 1944 and was one of three or four areas on O‘ahu, outside of the Naval Air Stations, specifically designated for aviation supplies.

The history of land tenure for Waiawa Valley can be traced to Princess Victoria Kamamalu, sister to Kings Kamehameha IV and V and niece of King Kamehameha III, who acquired a large portion of the Waiawa Valley area from Kamehameha III during the Great Mahele (the institution of Western-style land ownership) of 1848. Upon Kamamalu’s death, her half-sister Princess Ruth Ke‘elikolani inherited the land, which upon Ruth’s death was given to her cousin, Bernice Pauahi Bishop. The land eventually became part of the Bishop Estate property. By 1943 many buildings had been constructed in the Waiawa area by the U.S. Navy, as they had obtained a lease or right of entry for the area. The Navy then acquired fee simple ownership, through condemnation proceedings, in August of 1945. After WWII there was not much of a need for the NASD storehouses, and in 1951 a map of the installation showed that it was designated “Inactive Status” and that it encompassed over 218 acres at that time. The Department of the Army requested a transfer of an aggregate 47.42 acres, and 36.837 acres of fee-owned property, including buildings, were transferred to them by the Navy in 1959. In 1961 the Army reassigned custody and control of the 36.837 acres to the Hawai‘i Army National Guard. The buildings and improvements on the land at the time consisted of six Warehouses, one Equipment maintenance shop, an Administration Building, an Equipment Storage Warehouse, a Latrine and Storage Building, utilities, and a perimeter road. In 1969, a 14.62-acre portion was disposed of (sold to a private development company) by the General Services Administration, reducing the installation to 22.22 acres. The HIARNG Armory was then built in 1971. In 1972, the U.S. Army considered three acres surrounding the Armory as excess so they sold it to the State of Hawai‘i in fee simple, leaving the U.S. Army with a remaining 19.22 acres. In 1975, the State of Hawai‘i, via Executive Order No. 2768, set aside the three acres purchased from the Army for HIARNG purposes. Finally, in 1987 the Army granted the State an indefinite license to use and occupy their remaining 19.22 acres in Waiawa for HIARNG activities. In 1961, when the HIARNG took over Waiawa, their acreage included 10 buildings. Six of those WWII constructed buildings continue to be used into the 21st century. Only the Administration Building, the Latrine and Storage Building, and two warehouses have been demolished.

The Waiawa facility name has changed over time, however its mission remains the same—to provide vehicle and equipment storage, organizational maintenance and support, and training for the various HIARNG tenants at the facility. The name changed from Waiawa Field Training Concentration Site (FTCS) in the 1960's to Waiawa Annual Training Equipment Pool (ATEP) or Annual Field Training Equipment Pool (AFTEP) in the 1970's. By 1979, the name had changed to Waiawa Mobilization and Training Equipment Site (MATES). Finally, in 1999, the name changed to Waiawa Unit Training Equipment Site (UTES).

- **Facility Description**

The Waiawa Gulch/UTES facility consists of a series of contiguous buildings in a semi-urban/industrial setting. Located at this facility are a Unit Training Equipment Site (UTES), an Armory, and an Army Regional Training Site maintenance (RTSM) building. Under UTES, there are numerous building utilized primarily for the storage, maintenance, and training of HIARNG equipment and vehicles. The UTES includes a fueling area, a flammable materials storage building, a vehicle wash rack, a grease rack, an equipment loading dock, a UTES building, a motor vehicle storage building (MVSb), and a storage warehouse.

- **Description of Cultural Resources**

Historic Properties:

The facility at Waiawa contains six historic buildings including a maintenance facility, and five Navy warehouses constructed in the 1940's. These resources are currently being evaluated for eligibility to the NRHP.



Figure 49: Photo-WWII Navy Warehouse 65



Figure 50: Photo-WWII MATES Building

Prehistoric Properties: There are no prehistoric sites located on the facility.

Previous Work: An *inventory level survey* of the parcel adjacent to the facility revealed no prehistoric sites, only a concrete lined main water ditch which is a remnant of the historic Waiawa sugar cane complex.

Sensitivity Analysis: *Medium Sensitivity* applies to areas where there is a high probability of significant archaeological site preservation. These include buried, in situ deposits. Since the parcel has not been archaeologically surveyed, it is unknown if there are extant deposits on the facility therefore all of the facility is considered to be of medium sensitivity. Additionally, five historic warehouses built by the Navy for use in WWII have not been assessed using HABS/HAER standards set by the Secretary of the Interior for historic buildings. Until this assessment is completed, it is unknown what historic category, if any, these buildings occupy.

- **Preservation and Mitigation Strategies**

The historic warehouses will be assessed for determination of eligibility to the NRHP and placed in a treatment category. Once the category is established, SOPs regarding consultation may be applicable. A mitigation plan for changes or demolition can then be developed. Without an archaeological survey to identify sites or determine archaeological sensitivity, the CRM will monitor any excavations or earth moving until an archaeological survey can establish the presence or absence of archaeological sites.

- **Standard Operating Procedures (SOPs)**

Applicable SOPs will be forthcoming upon completion of the assessment.

8.5.6 Wheeler Army Air Field

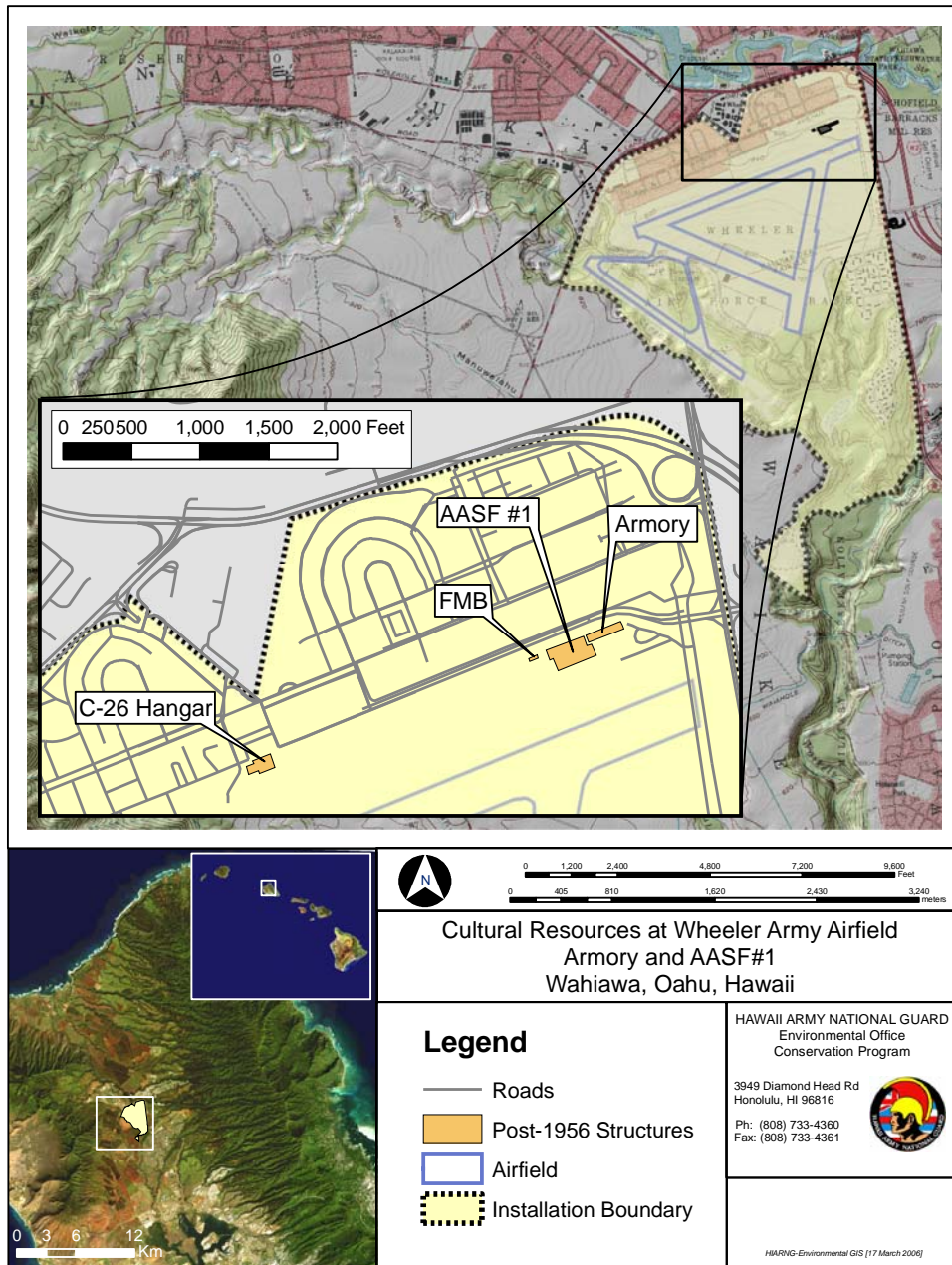


Figure 51: Facility Map-HIARNG buildings at Wheeler Army Air Field

District: Ewa **County:** Honolulu **Town/Area:** Wahiawa

PRIDE Installation Code: 15A95

Ownership: Federal (Army-licensed to HIARNG)

Total Acreage: 31

Structures/Buildings: Hanger 110 (29,160 sq. ft., built in 1944); Hangar 113 (7,068 sq. ft., built in 1932); Flammable Materials Storehouse (Bldg. 109) (410 sq. ft., built in 1932); Bldg. 133 (); C-26 Hangar (AASF #1) (51,840 sq. ft., built in 2001); Armory (44,125 sq. ft., built in 1976)

- **Facility Historic Background**

Wheeler Army Air Field (WAAF) was established in 1922 as the drill grounds for the 17th Cavalry upon the tableland between the Ko‘olau and Wai‘anae mountain ranges. In the early historic period, this table land provided sandalwood and range for cattle ranching. These lands were classified as Crown and government lands, and were turned over to the military in the early 1900’s. Initially named the Hawaiian Divisional Air Service Flying Field, the airfield was renamed in 1922. Wheeler Field’s mission was to meet the increasing needs for facilities to support planes used by the U.S. Army’s Hawaiian Department. In 1939, Wheeler Field officially became a permanent Army post separated from Schofield Barracks. It suffered heavy damage during the attack on Pearl Harbor on December 7, 1941. After the attack, a new round of construction began, resulting in two new runways and support facilities. Wheeler Field became obsolete soon after WW II with the introduction of jet aircraft, was transferred to the Air Force and renamed Wheeler Air Force Base, and then deactivated a short time later. Reactivated during the Korean War, the base was shared by the Air Force, Navy, Army, and the Air National Guard (Tomonari-Tuggle 2000). In 1977, property management responsibilities were turned over to the Army, and in 1987, portions of the base were designated a National Historic Landmark. The Army formalized the takeover of the base from the Air Force in 1991 and renamed to Wheeler Army Air Field, and the base is now home to the Hawaii Air National Guard’s Hawaiian Regional Operational Coordination Center (HROCC). Many of Wheeler Field’s original buildings have been rehabilitated and are of historical interest as part of the historic district.

- **Facility Description**

The HIARNG utilizes portions of two historic hangars, Hangars 110 and 113; Building 109 (a flammable materials storage building); and Building 133 (a battery shop) on Wheeler Field, under a revocable license with the U.S. Army. The ARNG has a new C-26 maintenance facility with a recently constructed new hangar.



Figure 52: Photo-New Hangar at C-26 maintenance building at Wheeler AAF

- **Description of Cultural Resources**

Historic Properties: The following descriptions are taken from the Cultural Resources Management Plan (CRMP) for Wheeler Army Air Field, produced in April 2000 by Belt Collins for the U.S. Army Corps of Engineers, under Contract DACA83-95-D-0018, Delivery Order 0006, by Myra Tomonari-Tuggle for International Archaeological Research Institute Inc. (IARII) (Tomonari-Tuggle, 2000).

Buildings 110 and 113 (Hangars) - Buildings 110 and 113 are hangars constructed in 1944 and 1932 respectively. The HIARNG occupies portions of each building; therefore they are included in this ICRMP. Both Buildings 110 and 113 are classified as Category I (properties of major importance) buildings located within the Historic District. Currently, Building 110 is used as a hangar and Building 113 is shared with the U.S. Army DPW Engineering and Administration, Aviation Supply, and as a gymnasium.

Each hangar is 120 feet long with two equal bays, each measuring 110 feet in width. These hangars have steel truss roofs supported by steel columns with concrete block wall sides and steel sash windows. There are four decorative corner pilasters, and the connecting sections at the middle of the hangar, and the storage compartments for the hangar doors are stucco-covered concrete block. Both have full-height, primarily glass, sliding doors, though these have been replaced with fixed walls on the north sides of both hangars and on the south side

of Hangar 113. The original stucco on metal lathe parapet walls at both ends of the buildings have been replaced with concrete sliding panels with asbestos. Horizontal wood reinforcing has been added to some stucco parapet walls. The door storage spaces on the airfield side of 113 have been replaced but are present on both sides of Hangar 110. Roofs are constructed of corrugated metal, and the interior of Hangar 113 has been completely renovated for use as a gymnasium and office space. The two buildings generally retain their original exterior appearance and original function. Windows have been replaced or painted on the airfield side, a few of the large sliding exterior doors have been removed, and replacement of some windows has occurred. The remaining buildings under HIARNG control at Wheeler are not considered historic.

Prehistoric Properties: Due to extensive landform changes at the beginning of the historic period and continuing through the 1940's, there are no prehistoric resources located within the HIARNG facilities.

Previous Work: International Archaeological Research Institute Inc (IARII) and Spencer Mason Architects prepared a complete cultural resource assessment of Wheeler Army Air Field in January 1994 for Belt Collins and Associates. An Army CRMP incorporating the data from the assessment and proposed management protocols for the Wheeler Army Air Field Historic District was prepared in April 2000 by Belt Collins Hawai'i with Mason Architects and IARII, for the Army Corp of Engineers (Contract DACA83-95-D-0018, Delivery Order 0006). Additionally, a HABS/HAER survey of Hangars 110 and 113 was conducted (completed in 2000).

Sensitivity Analysis: As part of the management of Wheeler Air Field, a sensitivity model has been proposed for the historic district. *Low Sensitivity* applies to areas where there is a low probability of archaeological sites. All areas under HIARNG control at WAAF are considered low sensitivity.

- **Preservation and Mitigation Strategies**

The CRMP for WAAF presents a management overview describing general management strategies, a preservation program that outlines goals, policies, treatment programs, and design guidelines for the maintenance, repair, restoration, rehabilitation, new construction, and the demolition of significant historic buildings. The compliance procedures list standard operating procedures for routine or recurring activities that could adversely impact these historic structures.

Hangars 110 and 113 lie within the WAAF Historic District and are designated Category I buildings, therefore certain actions require Section 106 consultation:

Building demolition, new building construction, and building additions, such as:
Alterations to roadways, walkways, parking lots, open space patterns, and heritage trees
Landscape alterations to recreational areas or parade grounds, installations entryways, and major thoroughfares
Exterior alterations, renovations, or repairs, such as:
Interior alterations to Category I and II buildings that could impact significant interior features or character defining features or impact the structural integrity or exterior appearance placement of a historic building exterior element (such as roofing or wall material, window, or door, light feature, railing, etc.)
Painting a structure a different color than the existing color and adding tinting material to window panes.
Building maintenance or repair activities for a Category I building.

Table 17. Actions at WAAF National Landmark and Historic Districts Requiring Section 106 Consultation

Activity or work conducted outside significant sites or outside low, medium, and high-sensitivity areas
Landscape or site alterations that do not alter heritage trees
Excavations for repair or replacement of building footings or foundations work within two feet of existing footings and foundations.
Energy conservation or safety efforts that are not visible or alter or detract from those qualities that make the resource significant under NHPA
Maintenance or repair work that is not visible on the exterior of the structure or is located in the interior areas that have no contributing interior architectural features
Removal of non-original, intrusive, surface-applied elements such as exterior, wall-mounted conduit, pipes, wiring and junction boxes
Replacement, removal, or upgrading of electrical wiring

Table 18. Actions at WAAF National Landmark and Historic Districts *Not* Requiring Section 106 Consultation

A complete management program involving several strategies for maintenance, repair, preservation, and treatment are presented in the Wheeler Army Airfield Cultural Resources Management Plan. The HIARNG ICRMP and the CRMP for Wheeler should be consulted prior to any action taken by the HIARNG on Buildings 110 and 113.

- **Standard Operating Procedures (SOPs)**

SOP #1 and #2 should be followed for the two historic hangars. Refer to Tables 17 and 18 above for actions which may or may not require Section 106 consultation. Activities that do not require Section 106 consultation are exempt.

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APPENDIX A:

Acronyms & Abbreviations, Glossary

APPENDIX A

Acronyms & Abbreviations

AASF	Army Aviation Support Facility
ACHP	Advisory Council on Historic Preservation
ACOE	Army Corp of Engineers
AEC	Army Environmental Center
AHPA	Archaeological Historic Preservation Act of 1974
AIRFA	American Indian Religious Freedom Act of 1978
APE	Area of Potential Effect
AR	Army Regulation
ARNG	Army National Guard
ARPA	Archaeological Resources Protection Act of 1979
CEQ	Council on Environmental Quality
CFR	Code of Federal Regulations
CO	Commanding Officer
CRM	Cultural Resources Manager
CSMS	Combined Support Maintenance Shop
CX	Categorical Exclusion
DA	Department of the Army
DHHL	Department of Hawaiian Homelands
DoD	Department of Defense
EA	Environmental Assessment
EIS	Environmental Impact Statement
EO	Executive Order
EPR	Environmental Program Requirement
EPS	Environmental Program Manager
EQCC	Environmental Quality Control Committee
EQR	Environmental Quality Report
FEC	Facilities Environmental Coordinator
FONSI	Finding of No Significant Impact
FMO	Facilities Management Officer
FY	Fiscal Year
GIS	Geographic Information System
GPS	Global Positioning System
HABS	Historic American Building Survey
HAER	Historic American Engineering Record
HIARNG	Hawaii Army National Guard
HPO	Historic Preservation Officer
HPP	Historic Preservation Plan
HQDA	Headquarters Department of the Army

IAW	In accordance with
ICRMP	Integrated Cultural Resources Management Plan
ITAM	Integrated Training Area Management (program)
JAG	Judge Advocate General
KD	Known Distance
KMR	Keaukaha Military Reservation
LCTA	Land Condition Trend Analysis
MACOM	Major Army Command
MOA	Memorandum of Agreement (per 36 CFR 800)
MOU	Memorandum of Understanding
NAGPRA	Native American Graves Protection and Repatriation Act
NAIRFA	Native American Religious Freedom Act
NEPA	National Environmental Policy Act of 1969, as amended
NGB	National Guard Bureau
NHL	National Historic Landmark
NHPA	National Historic Preservation Act of 1966, as amended
NHO	Native Hawaiian Organization
NRHP	National Register of Historic Places
OHA	Office of Hawaiian Affairs
OIC	Officer in Charge
OMS	Organizational Maintenance Shop
PA	Programmatic Agreement (per 36 CFR 800)
PAM	Pamphlet (Army Regulations)
PAO	Public Affairs Office
POC	Point of Contact
POTO	Plans Operations and Training Officer
REC	Record of Environmental Consideration
RTI	Regional Training Institute
ROD	Record of Decision
ROW	Right of Way
SHPD	State Historic Preservation Division
SHPO	State Historic Preservation Officer
SOP	Standard Operating Procedure
TAG	The Adjutant General
TCP	Traditional Cultural Property
USC	United States Code
USACE	United States Army Corps of Engineers

Glossary

Advisory Council on Historic Preservation (ACHP) - The Council was established by Title 11 of the National Historic Preservation Act to advise the President and Congress, to encourage private and public interest in historic preservation, and to comment on Federal agency action under Section 106 of the National Historic Preservation Act.

American Indian Religious Freedom Act (AIRFA) - States that the policy of the United States is to protect and preserve for American Indians their inherent rights of freedom to believe, express and exercise the traditional religions of the American Indian, Eskimo, Aleut and Native Hawaiians. These rights include, but are not limited to, access to sites, use and possession of sacred objects and the freedom to worship through ceremony and traditional rites.

Antiquities Act of 1906 - Provides for the protection of historic and prehistoric ruins and objects of antiquity on Federal lands, and authorizes scientific investigation of antiquities on Federal lands, subject to permits and other regulatory requirements.

Archaeological Artifact - An object, a component of an object, a fragment or sherd of an object that was made or used by humans, a soil, botanical or other sample of archaeological interest.

Archaeological Records - Notes, drawings, photographs, plans, computer databases, reports and any other audio-visual records related to the archaeological investigation of a site.

Archaeological Resources - Any material of human life or activities that is at least 100 years of age, and is of archaeological interest (32 CFR § 229.3(a)).

Archaeological Resources Protection Act (ARPA) of 1979 - Prohibits the removal, sale, receipt and interstate transportation of archaeological resources obtained illegally (without permits), from federal or Indian lands and authorizes agency permit procedures for investigations of archaeological resources on lands under the agency's control.

Area of Potential Effect (APE) - The geographical area within which the undertaking may cause changes in the character of or use of historic properties, if any such properties exist. This area always includes the actual site of the undertaking, and may also include other areas where the undertaking will cause changes in land use, traffic patterns, or other aspects that could affect historic properties. The APE may change according to the regulation it is being applied under.

Categorical Exclusion (CX) – Under the National Environmental Policy Act, CX's apply to actions that have no foreseeable environmental consequences to resources other than cultural resources, and are not likely to be highly controversial. CX's may also be applied to cultural resources management activities. A list of approved Army CX's can be found in AR 200-2.

Code of Federal Regulations (CFR) - Includes the government-wide regulations that all Federal agencies must follow, and have the force of law.

Cultural Items - As defined by NAGPRA, human remains and associated funerary objects, unassociated funerary objects (at one time associated with human remains as part of a death rite or ceremony, but no longer in possession or control of the federal agency or museum), sacred objects (ceremonial objects needed by traditional Native American religious leaders for practicing traditional Native American religions), or objects of cultural patrimony (having ongoing historical, traditional, or cultural importance central to a Native American tribe or group, rather than property owned by an individual Native American, and which, therefore, cannot be alienated, appropriated, or conveyed by any individual of the tribe or group).

Cultural Landscape Approach – The essential element in utilizing the cultural landscape is context: understanding how sites and their component features are embedded in larger cultural contexts. In the case of military properties, the cultural landscape approach becomes an organizing conceptual principle utilized with the goal of understanding the entire land use of a facility rather than simply the components.

Cultural Resources - Historic properties as defined by the NHPA; cultural items as defined by NAGPRA, archaeological resources as defined by ARPA, sites and sacred objects to which access is afforded under AIRFA and collections and associated records as defined in 36 CFR § 79. Buildings, structures, sites, districts, and objects eligible for or included in the National Register of Historic Places; “cultural items” as described above and as defined in 25 U.S.C. 3001 (reference (w)); American Indian, Eskimo, Aleut, or Native Hawaiian sacred sites for which access is protected under 42 U.S.C. 1996 (reference (f)); “archaeological resources” as defined by Section 470 aa-11 of 16 U.S.C. (reference (j)); and “archaeological artifact collections and associated records” defined under 36 CFR § 79 (reference (g)).

Cultural Resources Management Program - Activities carried out under the authority of AR 200-4 to comply with Federal statutes and regulations pertaining to cultural resources.

Curation of Federally Owned and Administered Archaeological Collections (35 CFR 79) – The practices associated with the storage, preservation and retrieval for subsequent study of archaeological records and artifacts.

Environmental Compliance Assessment System (ECAS) – Assists the Army in achieving, maintaining, and monitoring environmental compliance with federal, state, and local environmental regulations. ECAS identifies environmental compliance deficiencies and develops corrective actions and cost estimates to address these deficiencies.

Environmental Assessment (EA) - An EA is prepared under NEPA for actions that the project proponent does not anticipate will have a significant effect on the environment or if it is not known if the impact will be significant. An EA results in a Finding of No Significant Impact (FONSI) or a Notice of Intent (NOI) to prepare an EIS.

Environmental Impact Statement (EIS) – Under NEPA, an EIS is required when cultural resources may be damaged or significantly adversely affected.

Environmental Program Report (EPR) – Identifies program requirements for possible funding by the National Guard Bureau.

Executive Order 11593 of 1971 – Directs federal agencies to provide leadership in preserving, restoring, and maintaining the historic and cultural environment of the Nation; to ensure the preservation of cultural resources; to locate, inventory, and nominate to the National Register all properties under their control that meet the criteria for nomination; and to ensure that cultural resources are not inadvertently damaged, destroyed, or transferred before the completion of inventories and evaluation for the NRHP.

Executive Order 13006 of 1996 – Directs federal agencies to provide leadership in utilizing and maintaining, wherever appropriate, historic properties and districts, especially those located in central business areas. This EO intends to aid in the location of federal facilities on historic properties in our central cities; to identify and remove regulatory barriers; and to improve preservation partnerships.

Executive Order 13007 of 1996 on Indian Sacred Sites - Provides additional direction to Federal agencies regarding “Indian sacred sites.” Federal agencies are “within the constraints of their missions” required to accommodate Indian tribes requirements for access to and ceremonial use of sacred sites on public lands; and avoid damaging the physical integrity of such sites.

Geographical Information System (GIS) – Electronic databases that can provide information regarding identified structures and archaeological sites that are potentially NRHP eligible, or that have been determined to be NRHP eligible.

Historic Preservation Plan (HPP) – A document developed for individual installations in order to outline steps to be taken in respect to preservation of historic resources.

Historic Property - As defined by the NHPA, any prehistoric or historic district, site, building, structure, landscape, or object included in, or eligible for inclusion in, the National Register. The term includes artifacts, records and remains that are related to and located in such properties. The term also includes properties of traditional religious and cultural importance (traditional cultural properties), which are eligible for the National Register because of their association with the cultural practices or beliefs of a community. The term “eligible for inclusion in the National Register” includes both properties formally determined as such by the Secretary of the Interior and all other properties that meet National Register listing criteria.

Historic Resource - Any real or personal property, record, or lifeway. Includes: historic real property such as archaeological and architectural places, monuments, designed landscapes, works of engineering or other property that may meet the criteria for inclusion in the National Register of Historic Places; historic personal property such as any artifact or relic; historic records to include any historical, oral-historical, ethnographic, architectural, or other document that provides a record of the past; and community resources/lifeways to include any resource that a community or interested group ascribes cultural value (references to historic real or personal property such as natural landscapes and cemeteries; references to real property such as vistas or viewsheds; or, references to the nonmaterial such as certain aspects of folklife, cultural or religious practices, languages, or traditions).

Integrated Cultural Resources Management Plan (ICRMP) - A five-year plan developed and implemented by an installation commander to provide for the management of cultural resources in a way that maximizes beneficial effects on such resources and minimizes adverse effects and impacts without impeding the mission of the installation and its tenants.

Memorandum of Agreement (MOA) – A formal written agreement containing the result of discussions among the federal agency, the SHPO, the ACHP, and the interested public. The MOA documents mutual agreements upon statements of facts, intentions, procedures, and parameters for future actions and matters of coordination. It shows how the needs of the federal agency, the needs and desires of the public, and the scientific/historical significance of the property have all been protected.

National Environmental Policy Act of 1969 (NEPA) - (P.L. 91-90; 42 U.S.C. 4321-4347), states that the policy of the Federal government is to preserve important historic, cultural and natural aspects of our national heritage and requires consideration of environmental concerns during project planning and execution. This Act requires Federal agencies to prepare an Environmental Impact Statement (EIS) for every major Federal action that affects the quality of the human environment, including both natural and cultural resources. It is implemented by regulations issued by the Council on Environmental Quality (40 CFR § 1500-08), that are incorporated into AR 200-2, Environmental Effects of Army Actions.

National Historic Landmark (NHL) – National Historic Landmarks are buildings, historic districts, structures, sites, and objects that possess exceptional value in commemorating or illustrating the history of the United States. They are so designated by the Secretary of the Interior after identification by National Park Service professionals and evaluation by the National Park System Advisory Board, a committee of scholars and other citizens.

National Historic Preservation Act (NHPA) of 1966 - [as amended (P.L. 89-665; 16 U.S.C. 470-470w-6)], establishes historic preservation as a national policy and defines it as the protection, rehabilitation, restoration and reconstruction of districts, sites, buildings, structures and objects significant in American history, architecture, archaeology, or engineering. Amendments of 1980 establish guidelines for nationally significant properties, curation of artifacts, and data documentation of historic properties and preservation of federally-owned historic sites. They also require designation of a Federal Historic Preservation Officer in each Federal agency, authorize the inclusion of historic preservation costs in project planning costs and authorize the withholding of sensitive data on historic properties when necessary. Section 106 of the National Historic Preservation Act provides direction for Federal agencies on undertakings that affect properties listed, or those eligible for listing on the National Register, and is implemented by regulations (36 CFR § 800) issued by the ACHP. Section 110 requires Federal agencies to locate, inventory and nominate all properties that may qualify for the National Register. Applicable regulations are 36 CFR § 60, National Register of Historic Places; 36 CFR § 63, Determination for Eligibility for Inclusion in the National Register of Historic Places; and 36 CFR § 800, Protection of Historic Properties. 36 CFR § 78 provides a waiver of responsibility for Federal agencies of the requirement of the NHPA of 1966 in the event of a major natural disaster or imminent threat to national security.

National Park Service (NPS) – The bureau of the Department of the Interior to which the Secretary has delegated the authority and responsibility for administering the National Historic Preservation Program.

National Register Criteria - The criteria established by the Secretary of the Interior for use in evaluating the eligibility of properties for the National Register of Historic Places (36 CFR § 60).

National Register of Historic Places (NRHP) – Also referred to as “The Register”. This is the official Federal list of sites, districts, buildings, structures, and objects worthy of preservation consideration because of significance in American history, architecture, archaeology, engineering, or culture. Significance may be local, State, or national in scope. National Register eligibility criteria are published in 36 CFR (reference (g)).

Native American Graves Protection and Repatriation Act (NAGPRA) of 1990 - (P.L. 101-601), requires Federal agencies to establish procedures for identifying Native American groups associated with cultural items on Federal lands, to inventory human remains and associated funerary objects in Federal possession and to return such items upon request to the affiliated groups. The law also requires that any discoveries of cultural items covered by the Act is to be reported to the head of the Federal entity that will notify the appropriate Native American tribe or organization and cease activity in the area of the discovery for at least 30 days.

Paleontological Resources – Scientifically significant fossilized remains, specimens, deposits, and other such data from prehistoric, non-human life.

Phase 1 Survey – A survey conducted to identify and map archaeological sites and to obtain data on site types in an area. Methodology involves a review of historic records, environmental characteristics, and locational data concerning previously recorded sites in the area. Based on research, the area is divided into sections of high, moderate, and low potential for cultural resources. Shovel pits measuring up to 50 centimeters in diameter and 100 centimeters deep are excavated in the field and soil is passed through ¼-inch mesh hardware cloth. The density of shovel pits is determined by site probability. Areas of high probability receive shovel tests in 25-meter intervals. For areas of moderate probability, tests are conducted in 50-meter intervals. Areas of low probability are visually examined and shovel test pits are dug at the principal investigator’s discretion.

Planning Level Survey and/or Inventory of Cultural Resources - An inventory of “sensitive and significant resources” that must be identified to integrate legal and stewardship requirements with military requirements so that defense preparedness is maintained.

Predictive Model – Modeling used to determine areas of high, medium, and low archaeological potential.

Programmatic Agreement (PA) - A formal agreement between agencies to modify and/or replace the Section 106 process for numerous undertakings in a program, in accordance with 36 CFR § 800.13.

Real Property Development Plan (RPDP) – Five-year plan identifying statewide construction and infrastructure development needs.

Record of Environmental Consideration (REC) - A document that is used to explain how a Categorical Exclusion (CX) designation is determined for a particular project.

Sacred Site (as defined in EO 13007) – Any specific, discrete, narrowly delineated location on Federal land that is identified by a Native Hawaiian Organization or Native Hawaiian individual as sacred by virtue of its established religious significance to, or ceremonial use by, Native Hawaiians, provided that the Native Hawaiian Organization or Native Hawaiian individual has informed the agency of the existence of such a site.

Section 106 - Under the National Historic Preservation Act, Section 106 provides direction for Federal agencies regarding undertakings that affect properties listed or those eligible for listing on the National Register, and is implemented by regulations (36 CFR § 800) issued by the ACHP. Section 106 affords the ACHP an opportunity to comment on such undertakings.

Section 110 - Under the National Historic Preservation Act, Section 110 outlines agencies responsibilities with respect to historic properties and requires Federal agencies to locate, inventory and nominate all properties that may qualify for the National Register.

Significant Resources - “Resources” identified as “having or likely to have more influence on a particular aspect of the environment than other components.”

Site Locational Models – A model, through past examples, used to predict locations of archaeological sites.

State Historic Preservation Officer (SHPO) - The person who has been designated in each state to administer the State Historic Preservation Program, including identifying and nominating eligible properties to the National Register and otherwise administering applications for listing historic properties in the National Register.

Survey - A scientific sampling of the extent and nature of archaeological resources within a specific area.

Traditional Cultural Property (TCP) – A property that is eligible for inclusion in the NRHP because of its association with cultural practices or beliefs of a living community that (a) are rooted in that community’s history, and (b) are important in maintaining the continuing cultural identity of the community. (See National Register Bulletin No. 38).

Undertaking– Any project, activity, or program that can result in changes in the character or use of historic properties as defined by the NHPA. A project, activity, or program under the direct or indirect jurisdiction of the installation commander, including those projects, activities, or programs carried out or on behalf of the agency; those carried out with Federal financial assistance; those requiring a Federal permit, license, or approval; and those subject to State or local regulation administered pursuant to a delegation or approval by a Federal

agency. Undertakings include new and continuing projects, activities, or programs and any of their elements not previously considered under Section 106 of the NHPA. If a proposed activity or action is determined to be an undertaking, Section 106 compliance and the procedures in 36 CFR 800 must be followed.

APPENDIX B:

Sample Documents

APPENDIX B

SAMPLE DOCUMENT-NAGPRA COMPREHENSIVE AGREEMENT

NAGPRA COMPREHENSIVE AGREEMENT

BETWEEN

THE [NATIVE AMERICAN TRIBE OR GROUP, ALASKA NATIVE CORPORATION OR GROUP OR NATIVE HAWAIIAN ORGANIZATION], [CITY, STATE], AND [INSTALLATION], [CITY, STATE], CONCERNING THE PROTECTION, PRESERVATION, AND DISPOSITION OF UNMARKED HUMAN BURIALS, BURIAL MOUNDS, AND CEMETERIES LOCATED ON [INSTALLATION] LANDS IN THE ABORIGINAL HOMELANDS OF THE [NATIVE AMERICAN TRIBE OR GROUP, ALASKA NATIVE CORPORATION OR GROUP OR NATIVE HAWAIIAN ORGANIZATION], AS PROVIDED FOR BY THE NATIVE AMERICAN GRAVES PROTECTION AND REPATRIATION ACT.

WHEREAS, [Installation] has project operations responsibilities over lands once occupied by the [State] Tribe (hereinafter referred to as the [Native American Tribe or group, Alaska Native Corporation or group or Native Hawaiian organization]) that may contain human interments; and

WHEREAS, pursuant to Section 101(d)(6)(B) of the National Historic Preservation Act (16 U.S.C. § 470), the American Indian Religious Freedom Act (42 U.S.C. 1996; hereinafter AIRFA), and § 3002(a)(2)(C) of the Native American Graves Protection and Repatriation Act (25 U.S.C. § 3001-13; hereinafter NAGPRA), [Installation] has invited the [Native American Tribe or group, Alaska Native Corporation or group or Native Hawaiian organization] to participate in consultation and to concur in this (Comprehensive Agreement); and

WHEREAS, [Installation] does not at the present time have in its possession any Native American human remains or associated funerary objects, but cannot rule out the inadvertent discovery of such remains during the course of normal project operations at [Installation]; and

WHEREAS, the [Native American Tribe or group, Alaska Native Corporation or group or Native Hawaiian organization] represented by the signatories hereto now occupies tribal lands in [State] and were aboriginal occupants of lands which are now included in the State of [State] as depicted on the map included as Appendix 1, do claim and assert the right of possession and control of human remains and associated burial goods on lands managed by [Installation] in [State] in accordance with § 3002(a)(2)(A) and § 3002(a)(2)(C) of NAGPRA; and

WHEREAS, the [Native American Tribe or group, Alaska Native Corporation or group or Native Hawaiian organization], [City], has expressed their strong desire to protect the contents of their ancestors' graves from any manner of disturbance; and

WHEREAS, [Installation] has consulted with the aforementioned party and has agreed that certain actions ensuring the proper treatment of any human remains and burial goods shall require uniform procedures in order to comply with the positions of the [Native American Tribe or group, Alaska Native Corporation or group or Native Hawaiian organization], NAGPRA and [Installation].

NOW THEREFORE, [Installation] and the [Native American Tribe or group, Alaska Native Corporation or group or Native Hawaiian organization] agree to the following stipulations and the principle that human remains and associated burial goods are handled in an appropriate manner. The signatories shall ensure that the following measures are carried out.

STIPULATIONS

I. DEFINITIONS

- A. Custody; for purposes of this Agreement, custody means ownership or control of human skeletal remains, funerary objects, sacred objects, or objects of cultural patrimony excavated intentionally or discovered inadvertently on [Installation] after November 16, 1990. To the degree that [Installation] may be deemed under law to have jurisdiction of Native American skeletal remains and burial goods (cultural items), [Installation] disclaims such jurisdiction and accepts only custodial responsibility for the purposes of protection of burial sites and, if necessary, reinterment.
- B. Human Remains; shall be understood to mean the physical remains of a human body of a person of Native American ancestry.
- C. Associated Funerary Objects; shall be understood to mean objects placed intentionally with human remains and still physically associated in space with such remains. The location of objects within the grave fill or in immediate proximity to human remains shall be understood to evidence intentional placement with human remains.
- D. Unassociated Funerary Objects; shall be understood to mean objects intentionally placed with human remains but whose association has been disturbed through vandalism, erosion, plowing, rodent action and other ground-disturbing phenomena.
- E. Burial Goods; shall generally include all items believed to have been associated with the human skeletal remains or as part of the death rite, ceremony, or burial grounds, including but not limited to projectile points, knives, scrapers, articles of clothing, ornaments, beads, and religious items such as pipes, stones, dishes and pottery, feathers, and any item so identified and found, as determined in the field through consultation between the designated [Native American Tribe or group, Alaska Native Corporation or group or Native Hawaiian organization] representative and the [Installation] Cultural Resources Program Manager.
- F. Objects of Cultural Patrimony; shall be understood to include those classes of items having ongoing historical, traditional, or cultural importance central to the [Native American Tribe or group, Alaska Native Corporation or group or Native Hawaiian organization], as distinct from items that could be owned and alienated by individual tribal members.
- G. Sacred Objects; shall be understood to include those classes of objects identified by [Native American Tribe or group, Alaska Native Corporation or group or Native Hawaiian organization] religious leaders as needed in the practice of traditional [Native American Tribe or group, Alaska Native Corporation or group or Native Hawaiian organization] religions by their present-day adherents.
- H. Department; means the [State] Department of Health.
- I. Duly Designated Representative; shall mean a person who is a member of the [Native American Tribe or group, Alaska Native Corporation or group or Native Hawaiian organization] and can provide written documentation that he/she is a member of the [Native American Tribe or group, Alaska Native Corporation or group or Native Hawaiian organization] by his/her respective tribal governing body. The duly designated representative shall be required to have any training or expertise on [Native American Tribe or group, Alaska Native Corporation or group or Native Hawaiian organization] culture and/or traditions that the [Native American Tribe or group, Alaska Native Corporation or group or Native Hawaiian organization] deems necessary for carrying out the responsibilities contained in this Agreement.
- J. *In situ*; means in the human burial site per se or within the immediate vicinity of unmarked human burials.
- K. Inventory; shall mean the physical creation of:

1. A listing of the contents of unmarked human burials.
 2. Other existing records.
- L. Qualified Archaeologist; means an individual who meets the minimum qualifications as defined in *Secretary of the Interior's Standards and Guidelines* (Federal Register, vol. 48, no. 190, page 44739).
- M. Society; means the State Historical Society of [State].
- N. Media; shall mean any form of communication including, but not limited to, electronic or other forms of print, audio, and video mediums. The term media does not include [Installation] technical reports that are used for in-house documentation.
- O. Burial Identification; means the visual inspection of a site by a qualified archaeologist and the [Native American Tribe or group, Alaska Native Corporation or group or Native Hawaiian organization]'s duly designated representative to determine if a burial is present.
- P. Nontribal; means the remains of a non-Indian person buried in an unmarked grave with belongings associated with Native American culture and/or other items which would lend the impression that the deceased had been buried in a Tribal manner due to adoption, marriage, or other means.
- Q. Intrusive Archaeological Testing; any method or manner of testing that touches, destroys, or otherwise physically disturbs the suspected or confirmed burial chamber, per se.
- R. Permitted Study; means the examination by a qualified archaeologist, with the assistance from specialists, as necessary, and in the presence of the duly designated representative of the [Native American Tribe or group, Alaska Native Corporation or group or Native Hawaiian organization], of human burial sites, human remains, and associated funerary objects. The examination is conducted *in situ*, unless the physical safety of the [Native American Tribe or group, Alaska Native Corporation or group or Native Hawaiian organization] member(s), archaeologist(s), and others may be in jeopardy, or as agreed to in the field. The study consists exclusively of the following activities under the following circumstances:
1. In all instances, examination of the burial, *in situ*, to determine the race, age, and if determined to be Native American, lineal descendancy of the individual(s) and tribal or cultural affiliation.
 2. In all instances, the taking of soil and floral samples as may be appropriate.
 3. In those instances wherein the burial is determined to be of Native American origin and can be restored by backfilling, stabilization, and other protective measures from further disturbance, study will not be conducted. Notification procedures described herein apply in this instance as well. Restoration of all sites will be accomplished by [Installation] in the presence of the [Native American Tribe or group, Alaska Native Corporation or group or Native Hawaiian organization] duly designated representative and any other members of the [Native American Tribe or group, Alaska Native Corporation or group or Native Hawaiian organization] as tribal officials deem necessary or desirable.
 4. In those instances wherein the burial cannot feasibly be restored, but must be disinterred or collected completely and reinterred in another location; the visual observation and written description of the human burial site and the measurement and weighing of the human remains and burial goods after disinterment from the burial will be conducted *in situ* through an archaeological excavation of the site. Such study shall only be conducted following consultation with the [Native American Tribe or group, Alaska Native Corporation or group or Native Hawaiian organization], and in the presence of the duly designated representative.
 5. In those instances wherein *in situ* examination is not feasible because certain contents of a human burial have been physically separated from the original burial site, those human remains and any burial goods that have been so separated shall be delivered to the [Native American Tribe or group, Alaska Native Corporation or group or Native Hawaiian organization]. Such human

remains and burial goods are not to be examined scientifically for any purpose except when the following situations apply

- (a) Within two working days following notification of discovery, [Installation] will make a records check and thorough search of the proximate area to locate the human burial site in which such human remains and any associated burial goods were originally interred.
- (b) In the event that the original burial site is located; examination of such burial site, in addition to those human remains and burial goods which have been separated from the original burial site, will be conducted within five working days of the discovery of the original burial, but only in the event the burial site must be excavated for protection. Such study shall only be conducted following consultation with the [Native American Tribe or group, Alaska Native Corporation or group or Native Hawaiian organization], and in the presence of the [Native American Tribe or group, Alaska Native Corporation or group or Native Hawaiian organization] duly designated representative in accordance with the scope of study as defined herein.

II. Inadvertent Disinterment - Notification

- A. Upon having received notification of the actual or potential disturbance or the discovery of a human burial site, human remains, or burial goods, [Installation] shall, as soon as possible, but no later than three (3) working days after receipt of the notification with respect to Federal lands described in 43 CFR § 10.4(b):
 - 1. Take immediate steps, if necessary, to further secure and protect inadvertently discovered human remains, funerary objects, sacred objects, or objects of cultural patrimony, including, as appropriate, stabilization or covering.
 - 2. Report the receipt of such notification by telephone, with written confirmation, to the appropriate [Native American Tribe or group, Alaska Native Corporation or group or Native Hawaiian organization] contacts. The notification shall include pertinent information as to kinds of human remains, funerary objects, sacred objects, or objects of cultural patrimony discovered inadvertently, their condition, and the circumstances of their inadvertent discovery. If written notification is provided by certified mail, the return receipt constitutes evidence of the receipt of the written notification by the [Native American Tribe or group, Alaska Native Corporation or group or Native Hawaiian organization].
 - 3. Based upon the information received from the person providing initial notification of the burial discovery, [Installation] shall additionally inform the Society and the Department as to the exact location and state (condition) of the human burial site, human remains, or burial goods of which notification was received, for the purpose of obtaining their assistance (through a records search) in the possible identification of the deceased.
 - 4. In the event that either [Installation] or the [Native American Tribe or group, Alaska Native Corporation or group or Native Hawaiian organization] duly designated representative have reason to suspect that the burial contains a victim of a recent prosecutable crime or accidental death, the [Installation] Provost Marshall's Office will be notified.
- B. If the inadvertent discovery occurred in connection with an on-going activity on [Installation], the person providing the initial notice described above must stop the activity in the area of the inadvertent discovery and make a reasonable effort to protect the human remains, funerary objects, or objects of cultural patrimony discovered inadvertently.

III. Inadvertent Disinterment - Study

- A. Within a period of two working days (although every effort will be made to keep the timeframe under twenty-four hours) from the time [Installation] has provided notification to the [Native American Tribe or group, Alaska Native Corporation or group or Native Hawaiian organization] of the actual or potential disturbance or the discovery of a human burial site, human remains, or burial goods, [Installation] and the [Native American Tribe or group, Alaska Native Corporation or group or Native Hawaiian organization] representative(s) shall commence initial examination of any human remains not associated or suspected of a crime or accidental death as determined above which are the subject of the notification and undertake exclusively the following activities:
1. The human burial site or its exposed contents must be initially examined by [Installation] to attempt to determine the lineal descendants (next-of-kin) or to determine race and age of the remains, if possible, using relevant available and solicited information (e.g., plats, maps, records, interviews with tribal members and landowners knowledgeable of the site in question, and associated funerary objects). This initial examination must be conducted in consultation with the [Native American Tribe or group, Alaska Native Corporation or group or Native Hawaiian organization], and in the presence of the [Native American Tribe or group, Alaska Native Corporation or group or Native Hawaiian organization] duly designated representative.
 2. If a presumption as to Native American lineal descendancy (next-of-kin), or a determination of race and age can be ascertained based upon location, historical data and any associated funerary objects, this information must be used to determine disposition of the human burial site, human remains, or burial goods by [Installation] and [Native American Tribe or group, Alaska Native Corporation or group or Native Hawaiian organization]. The human remains and associated burial goods may be further examined within the applicable scope of study as defined herein. Disposition must be in accordance with NAGPRA and requirements as set forth herein.
 3. If it is determined by initial examination that the human remains are non-Native American and non-Tribal, the remains will be further examined within the applicable scope of study as defined herein. Further study and final disposition of these remains will be at the discretion of [Installation].
 4. If it cannot be determined by means of such initial examination that the human remains are either Native American or non-Native American, it will be presumed that the human remains are [Native American Tribe or group, Alaska Native Corporation or group or Native Hawaiian organization], based upon the experience of [Installation] and the [Native American Tribe or group, Alaska Native Corporation or group or Native Hawaiian organization] and the aboriginal occupation of these lands by the [Native American Tribe or group, Alaska Native Corporation or group or Native Hawaiian organization].

IV. Inadvertent Disinterment - Recovery, Restoration and Reinterment

- A. In consultation with the [Native American Tribe or group, Alaska Native Corporation or group or Native Hawaiian organization], the remains will be turned over to the proper legal authorities if it is determined that a recent crime was committed or suspected.
- B. Law enforcement and health officials will recover any remains resulting from a recent prosecutable crime or accidental death (i.e. drowning).
- C. When human remains are determined not associated with a recent crime and are determined to be culturally affiliated with the [Native American Tribe or group, Alaska Native Corporation or group or Native Hawaiian organization], the [Native American Tribe or group, Alaska Native Corporation or group or Native Hawaiian organization] duly designated representative, in consultation with the [Installation] representative, shall make a determination as to whether the burial can be adequately and safely restored

and protected *in situ* or whether, in the alternative, the contents of the burial should be disinterred completely and reinterred in another location.

- D. If it is determined, in consultation with the [Native American Tribe or group, Alaska Native Corporation or group or Native Hawaiian organization] duly designated representative, that the disturbed burial can be adequately and safely restored and protected *in situ*, [Installation] shall, as soon as practicable, cause the burial to be backfilled, stabilized, and protected from further disturbance by the human activities or natural processes which caused the disturbance in the first instance. Upon request by [Installation], the [Native American Tribe or group, Alaska Native Corporation or group or Native Hawaiian organization] will provide assistance.
- E. If, on the other hand, it is determined that the *in situ* restoration of the burial is not feasible, the [Native American Tribe or group, Alaska Native Corporation or group or Native Hawaiian organization] shall, as soon as practicable and subsequent to the completion of any study conducted on the contents of the burial at the direction of [Installation] and pursuant to the scope of study as defined herein, and if lineal descendants cannot be ascertained, cause the disinterred human remains and any and all burial goods to be reinterred on Indian lands within the boundaries of the appropriate Indian reservation or lands, as determined by the [Native American Tribe or group, Alaska Native Corporation or group or Native Hawaiian organization].
- F. [Installation] shall reroute construction, to the extent feasible, to leave human remains in place and unharmed. For the purposes of this Agreement, a standard avoidance distance of 200 feet around any burial site will be recognized and complied with by [Installation].
- G. Where construction rerouting is not feasible, [Installation], in consultation with the [Native American Tribe or group, Alaska Native Corporation or group or Native Hawaiian organization] duly designated representative, shall remove the remains and associated funerary objects to a safe location for study and preparation for reburial or repatriation, employing standard archaeological field study and recordation procedures and techniques. [Installation] may resume construction in the vicinity as soon as the [Installation] Cultural Resources Program Manager certifies that the remains and burial goods have been properly and safely removed.
- H. Identification of a suspected human burial site, in consultation with a [Native American Tribe or group, Alaska Native Corporation or group or Native Hawaiian organization] duly designated representative, is an acceptable activity. Intrusive archaeological testing methods are prohibited.
- I. Prior to the restoration or reinterment of the burial, the [Native American Tribe or group, Alaska Native Corporation or group or Native Hawaiian organization] in consultation with [Installation], along with other possibly affiliated tribe(s), if any, shall attempt to determine the tribal identity or affiliation of the human remains and any associated funerary objects interred in the burial site.
- J. Each such restoration and reinterment shall provide an opportunity for appropriate tribal religious ceremony or ceremonies.

V. Planned Disinterment

- A. For all activities undertaken on lands managed by [Installation], the general policy shall be strict avoidance of all human burials, whether marked or unmarked, whenever possible.
- B. For all instances where avoidance is not possible, [Installation] shall undertake to reach separate memoranda of agreement with the [Native American Tribe or group, Alaska Native Corporation or group or Native Hawaiian organization], on a case by case basis. Under no circumstances will any activity proceed until consultation between [Installation], the [Native American Tribe or group, Alaska Native Corporation or group or Native Hawaiian organization], and any other interested parties is completed.

VI. Consultation

- A. Under no circumstances will [Installation] or the [Native American Tribe or group, Alaska Native Corporation or group or Native Hawaiian organization] provide details of any burial disturbance to any public, private, or governmental media.
- B. The [Native American Tribe or group, Alaska Native Corporation or group or Native Hawaiian organization] will provide a list of points of contact which will include the name of the duly designated representative and a prioritized list of contacts that [Installation] should use in the event the duly designated representative is not available (Appendix 2). [Installation] will contact the duly designated representative or other contact in order of priority when discovery of human remains are reported. The [Native American Tribe or group, Alaska Native Corporation or group or Native Hawaiian organization] shall provide [Installation] with the names and appropriate methods to contact lineal descendants who should be contacted to participate in the consultation process. [Installation] will identify counterpart personnel who will act as liaison(s) and coordinator(s). Both parties will notify each other in the event of change in personnel.
- C. The [Native American Tribe or group, Alaska Native Corporation or group or Native Hawaiian organization] may provide recommendations on how the consultation process should be conducted and the kinds of cultural items considered likely to be unassociated funerary objects, sacred objects, or objects of cultural patrimony.
- D. At the invitation of the [Native American Tribe or group, Alaska Native Corporation or group or Native Hawaiian organization], [Installation] will attend at least one quarterly [Native American Tribe or group, Alaska Native Corporation or group or Native Hawaiian organization] meeting annually to review any activities that involve this Agreement since the previous joint meeting.
- E. On those rare occasions when either party is unable to meet the schedule, such party will notify the other party as soon as physically possible to reschedule the activities to the mutual satisfaction of both parties. Emergency actions will be coordinated telephonically.

VII. Changes

- A. Should a dispute or competing claim arise during the course of this Agreement, [Installation] may, in consultation with the [Native American Tribe or group, Alaska Native Corporation or group or Native Hawaiian organization], consult with the party(ies) in the dispute to resolve the objection or claim. [Installation]'s role will be strictly that of mediator. Any unresolved disputes will be referred to the NAGPRA Review Committee.
- B. If any signatory to this Agreement believes that the terms of the Agreement cannot be carried out, or that an amendment must be made, that party shall notify the other signatories and request consultation to resolve the issue or amend the Agreement.
- C. This Agreement will last for a period of five years unless terminated in accordance with paragraph E below.
- D. Other tribes may become parties to this Agreement upon consultation with the [Native American Tribe or group, Alaska Native Corporation or group or Native Hawaiian organization] and such addition will not be unreasonably withheld.
- E. Any signatory may terminate their participation in this Agreement upon 30 days written notice to the other signatories.
- F. In accordance with 25 U.S.C. § 3002, nothing within this Agreement shall prevent the [Native American Tribe or group, Alaska Native Corporation or group or Native Hawaiian organization] from relinquishing control over any human remains, or title to or control over any funerary object, or sacred object.

- G. Execution of the Programmatic Agreement is evidence that the signatories have consented to enter into an Agreement as provided for in 25 U.S.C. § 3009 (1) (B).

Commanding Officer, [Installation]

Date

President, [Native American Tribe or group,
Alaska Native Corporation or group or
Native Hawaiian organization]

Date

SAMPLE DOCUMENT-STATE AGENCY COOPERATIVE AGREEMENT

COOPERATIVE AGREEMENT BETWEEN [Installation] AND [State Agency]

I. SUBJECT

This COOPERATIVE AGREEMENT (hereinafter referred to as “agreement”) is between the Department of the Army, [Installation], and the [State Agency] (hereinafter referred to as “[State Agency]” to collect, analyze, and apply cultural resources data for optimal management of public lands under control of [Installation].

II. PURPOSE

The purpose of this agreement is to establish the relationships, responsibilities, and activities to collect, analyze, and apply cultural resources data for optimal management of public lands under control of [Installation]. [Installation] manages over XXXX acres of public land. As is the case with all government agencies, [Installation] must manage its lands in accordance with all historic preservation laws, such as the National Historic Preservation Act, the Archaeological Resources Protection Act and other applicable federal laws and regulations. Compliance with these laws requires accurate, current data on the status of the resources on the military installations and application of the data in management decisions. Collecting, analyzing and applying these data also support the objectives of the Legacy Resource Management Program.

III. AUTHORITY

This agreement is entered into under the authority of PL 101-511, Sec. 8120, delegation to Army by memorandum dated 21 April 1994, 16 USC 670a through f and 10 USC 2668 through 2671, within the purview of Public Law 91-190, Army Regulation (AR) 200-4, AR 37-27, AR 350, and under the principle of multiple-use sustained-yield as explained in Public Law 86-517 (16 USC 528 through 531).

IV. GENERAL

Public Law 103-139, Title 11, November 11, 1993, 107 Stat. 1422 provides in part that:

“Notwithstanding the provisions of the Federal Cooperative Grant and Agreements Act of 1977 (31 USC 6303-6308), the Department of Defense may hereafter negotiate and enter into cooperative agreements and grants with public and private agencies, organizations, institutions, individuals, or other entities to implement the purposes of the Legacy Resource Management Program.”

This agreement meets the following Legacy Resource Management Program purposes:

- a. To provide for the stewardship of all Department of Defense controlled or managed land resources.
- b. To establish inventories of all scientifically significant cultural and historic resource assets on Department of Defense lands. In addition to the specific attributes of the asset, these inventories are to catalog their scientific and or cultural significance, as well as their interrelationship to the surrounding environment, including the military mission carried out on the land upon which they reside.

- c. To establish educational, public access, and recreation programs designed to increase public appreciation, awareness, and support for these national environmental initiatives.

V. OBJECTIVES

The objectives outlined here may not be changed without written approval by the parties signatory to this agreement.

The primary objective of this Agreement is to provide [Installation] with research and management support to assist in optimal management of training lands, to minimize restrictions to the military mission due to cultural resource related constraints, to protect and enhance all historic properties listed on the National Register of Historic Places on all [Installation] lands, and to ensure compliance with all federal environmental laws and regulations.

Specific objectives are as follows:

- a. To collect cultural resource data necessary for the sound management of military lands. The land must be maintained in a condition to provide for optimal military training experiences and to protect known historical properties.
- b. To assemble, edit, summarize, analyze, interpret, and apply environmental data to the management of cultural resources on [Installation]. This is accomplished most efficiently with state-of-the-art geographic information system (GIS) computer analyses.
- c. To implement, administer, and further develop the [Installation] Cultural Resources Management program in order to optimize military training opportunities with concomitant protection of the many cultural resources on [Installation].
- d. To maintain a knowledge and appreciation of our collective cultural heritage by developing and implementing methods for conserving the prehistoric and historic cultural resources on [Installation].
- e. To contribute to making the most sound, balanced decisions possible regarding land use and resource management on [Installation] by the provision of the best research, data, and analytical tools available.
- f. To train cultural resource managers, and those that interact with them on [Installation], in the latest and most appropriate technologies to address resource management issues.
- g. To educate military personnel on the potential impacts of their training exercises, suggest ways to prevent or mitigate the impacts, and increase their awareness of the cultural resources on [Installation] and the need to protect them for future generations.
- h. To identify potential hazards, both natural and manmade, to the physical integrity of known and unknown archeological sites on [Installation] and mitigate their damage if introduction has already occurred.

The primary areas of research and support to be addressed under this agreement are:

- Information Management
- Cultural Resource Data Collection and Management
- Planning and Decision Support
- Training

Cultural resource data collection includes the gamut of information needed to manage cultural resources on a military installation. Basic archaeological inventories (Phase I Survey) of training lands, condition and trend monitoring, archaeological site monitoring, baseline inventories, historic building and structure inventories, site census, soil surveys and other special purpose surveys contribute to baseline information on resources needed for supporting land management decisions.

Information management encompasses all aspects of automated data processing, data analyses, and data interpretation and application to management needs. Support will be provided for computer systems used in cultural resources management. This support includes system definition, implementation and maintenance, military and cultural resources data collection recommendations, automated data collection, automated and non-automated data management, applications development, and Internet access and use. GIS support will be provided in the form of hardware and software recommendations and setup; software and operating system technical support; data development; acquisition and interpretation of remotely sensed imagery.

Cultural resources data collection and management comprises all aspects of cultural resource conservation on [Installation], both prehistoric and historic. Services include site surveys, excavations, artifact identification and cataloging, management of collections, data analyses, database development and maintenance, formal report writing and publishing, and development and implementation of management plans.

Planning and decision support contribute to making sound decisions regarding land use, cultural resource management, military training impacts, project siting, etc. Phase I archaeological surveys are routinely necessary on public lands and military lands prior to initiating testing and training exercises, implementation of various resource management plans, siting projects and construction activities. Such assessments and statements require large amounts of supporting data, information and analyses. Planning documents are increasingly common and often required by law and regulations. Integrated cultural resource management plans is one example. This plan, require supporting documentation such as multiple layers of GIS data, including archaeological site maps, and databases on the resources in question.

Training is available in many aspects of cultural resources management. Program specific training includes workshops on cultural resources programs, as well as professional continuing education training for those program managers with post-graduate degrees. Intensive, individualized training is often required for new and changing technologies, such as computer applications, geographic information systems, remote sensing, global positioning system, remote sensing and other data gathering processes and tools. Training also includes the development of programs of instruction necessary to educate the military training community on the cultural resources management aspects of training.

Archaeological Resources Protection education is aimed at preventing damage to [Installation] cultural resources before it occurs. Development of educational programs and materials, particularly interpretive methods, increase awareness of human caused disturbances and ways to prevent or minimize them.

VI. RESPONSIBILITIES

[Installation] is responsible for restoring, conserving, and protecting cultural resources on the [Installation] military reservation in [County], [State].

[Installation] is willing to reimburse [STATE AGENCY] for providing material, equipment, and technical assistance to accomplish [Installation]'s conservation protection mission.

Therefore, it is mutually agreed as follows:

a. [Installation] agrees:

- (1) To provide project development criteria for these activities. In addition, [Installation] will provide technical assistance where available and a general guideline of achievements necessary to carry out and complete the purpose of this agreement.
- (2) To develop a scope of work for each project to be accomplished under this agreement.
- (3) To issue a delivery order or purchase order, executed by a [Installation] budget control officer, obligating funds to accomplish the agreed upon scope-of-work, at the agreed upon price.

- (4) To reimburse [STATE AGENCY] for any supplies, equipment, travel, and personnel service costs (including salary, benefits, and annual leave accrual), direct administrative costs for project procurement, logistical arrangements (travel, housing, utilities, vehicles, conferences, workshops and project reviews), human resources (job searches, processing of employment forms, project-specific personnel issues, time sheets, hourly employees and leave reports), project reports (editing, graphics, publication), program management, and overhead cost at the federally audited rate for [STATE AGENCY] of XX% for off-campus activities and XX% for on-campus activities, consistent with OMB Circular A-21.

b. [STATE AGENCY] agrees:

- (1) To provide technical assistance through employees who have the expertise necessary to carry out the purpose of this agreement. The assistance will include, but is not specifically limited to: (a) collecting cultural resources data necessary for the sound management of military lands, (b) assembling, editing, summarizing, analyzing, interpreting and applying environmental data to the management of cultural resources, (c) assisting in the implementation, and further development of the Cultural Resources Management program, (d) developing and implementing methods for preserving prehistoric and historic cultural resources, (e) contributing to making the most sound, balanced decisions possible regarding land use and resource management by the provision of the best research, data and analytical tools available, (f) training cultural resource managers in the latest and most appropriate technologies to address resource management issues, (g) educating military personnel on the potential impacts of their training exercises, suggesting ways to prevent or mitigate the impacts, and increasing their awareness of the cultural resources on the installation and the need to protect them for future use, and (h) identifying potential hazards to installation cultural resources, and prevent their introduction into the military landscape, and mitigate damage if introduction has already occurred.
- (2) To enter into consulting agreements or subcontracts with other qualified agents who have the expertise to assist in the execution of this agreement, as necessary.
- (3) To purchase equipment, software, and materials and provide maintenance and repair of equipment that is required to carry out the purposes of the agreement. The equipment purchased under this agreement will be used to satisfy the objectives of this agreement. [Installation] will reimburse [STATE AGENCY] for the purchase price of required equipment and materials and the cost of maintenance and repair of said equipment necessary for project completion. Equipment and material purchased under this agreement shall become property of [Installation] at the completion of work undertaken pursuant to this agreement.
- (4) To bill [Installation] monthly on a reimbursable basis for costs as provided under this agreement and individual delivery order. Billing statements should be addressed to:

Directorate of XXXXX-
ATTN:
[Installation], [State]

c. Both parties agree:

- (1) That each party will assign a principal to execute this agreement and that a meeting between the assigned principals or their designated project officers shall take place at least twice a year. The first meeting shall be no later than [insert date] of each year to determine the project priorities and funding required for the next federal fiscal year. The second meeting shall occur no later than [insert date] of each year to finalize project goals and funding for that federal fiscal year. Other meetings will be held as requested by either party. It is understood by both parties that available funding is not guaranteed and that no work can be started until funding has been sent. An annual operating plan to be formulated by the parties' designated project officers will be

submitted to the Director, XXXXXXXX, [Installation], and to [STATE AGENCY] not later than [insert date] of each year for funding during the next federal fiscal year.

- (2) That [Installation] will have final authority to prioritize projects.
- (3) That [Installation] will have complete and free access to all data generated under this agreement.
- (4) That [STATE AGENCY] personnel at [Installation] may attend applicable training sessions, meetings, and conferences on a space and funds available basis.
- (5) The Comptroller General of the United States, the [Installation] Contracting Officer, or their duly appointed project officers, or cognizant audit agency shall have access to all directly pertinent books, documents, papers, and records relating to [Installation] and [STATE AGENCY]'s engagement in the performance of duties or involving any transactions relative to this agreement.
- (6) Publication rights in academic journals and/or technical reports related to or deriving directly from work undertaken pursuant to this agreement shall be shared jointly between [STATE AGENCY] and [Installation] personnel or singly by permission of the other cooperator. Publication of any reports or parts thereof by [STATE AGENCY] personnel shall be subject to review, comment, and authorization by [Installation] as provided in the FAR. Appropriate credit shall be given to the Department of Defense in any formally published article, providing that [Installation] does not determine that the issuance of a disclaimer is appropriate.
- (7) All activities pursuant to this agreement shall be in compliance with all applicable laws and regulations that prohibit discrimination on the basis of race, color, religion, sex, national origin, age, or disability.
- (8) It is the expectation of the parties that all obligations of [Installation] under this agreement will be fully funded. Any requirement for the payment or obligation of funds by [Installation] under the terms of this agreement shall be subject to the availability of funds. No provision herein shall be interpreted to require obligation of payment of funds in violation of any statute.

VII. PERIOD OF PERFORMANCE

This agreement shall be effective upon the later signature and date and shall remain in effect until [Month/Year].

VIII. PROJECT OFFICERS

- a. [Installation] Project Officer is:

[Installation], [State]

Phone:

FAX:

- b. [STATE AGENCY] Project Officer is:

Coordinator for University Research

Office of University Research

University of [State]

[City], [State]

Phone:

Fax:

IX. MODIFICATIONS/TERMINATION

- a. This agreement may be terminated by either party by providing written notice to the other party 60 days in advance of the proposed termination date. This agreement may be modified at any time by mutual consent as long as the modification is reduced to writing and signed by both parties.
- b. Should [STATE AGENCY] be unable to complete the project, all unexpended monies in addition to any expended amounts determined unallowable in accordance with OMB Circular A-21 shall be returned to [Installation] not later than 30 calendar days prior to the end of the Federal fiscal year, 30 September.

X. SPECIAL PROVISIONS

- a. Management and disposition of equipment, property, supplies, and other expendable property purchased by [STATE AGENCY] to comply with the terms of this agreement shall be in accordance with the uniform standards set forth under Title 22 of the Code of Federal Regulations Part 518, Sections 518.31 through 518.37.
- b. Publication of any reports or parts thereof by [STATE AGENCY] personnel will be subjected to review and comment by [Installation]. Appropriate credit shall be given to the Department of Defense in any formally published article, providing that [Installation] does not determine that the issuance of a disclaimer is appropriate.

XI. SIGNATURE/APPROVAL

IN WITNESS WHEREOF, the parties hereto have caused this Cooperative Agreement to be executed as of the date herein written.

_____	_____
Colonel, U.S. Army Commanding Officer	Date

_____	_____
Vice Chancellor University of [State]	Date

SAMPLE DOCUMENT-"TWO PARTY" MEMORANDUM OF AGREEMENT FOR DATA RECOVERY

"TWO PARTY" MEMORANDUM OF AGREEMENT FOR DATA RECOVERY

MEMORANDUM OF AGREEMENT
BETWEEN THE DEPARTMENT OF ARMY
AND THE [STATE]
STATE HISTORIC PRESERVATION OFFICER
SUBMITTED TO THE ADVISORY COUNCIL ON HISTORIC PRESERVATION
PURSUANT TO 36 CFR § 800.6(b)(1)(iv)
REGARDING CONSTRUCTION OF
THE [Project Name] IN
[County], [State]

WHEREAS the United State Department of Army (Army) proposes to construct a new [Project Description] on the [Installation] in [County], [State]; and

WHEREAS the [Project Name] design that is the subject of this Memorandum of Agreement (MOA) is as described in the document dated [mm/dd/yyyy], and titled "[Project Name]" prepared by [Government Contractor or Agency] under Army Contract No. [XXXXXXX];

WHEREAS the Army has established the [Project Name] area of potential effects (APE), as defined at 36 CFR § 800.16(d), to be the project construction site and the landscapes facing the project construction site; and

WHEREAS the Army has determined that its construction of the [Project Name] may have effects on the [previously identified historic properties within the project APE], as described in the report entitled "Historic Properties Inventory: Area of Potential Effects," XXXX Consultants, Inc., and

WHEREAS the Army, pursuant to 36 CFR § 800.4(c)(2), has determined that the above-referenced properties are eligible for inclusion in the National Register of Historic Places; and

WHEREAS the Army has consulted with the [State] State Historic Preservation Officer (SHPO) in accordance with Section 106 of the National Historic Preservation Act, 16 U.S.C. § 470 (NHPA), and its implementing regulations (36 CFR Part 800) to resolve the adverse effect of [Project Name] construction on historic properties; and

WHEREAS the Army intends to use the provisions of this MOA to address applicable requirements of Section 110(a)(1) of NHPA, 16 U.S.C. 470h-2(b); the American Indian Religious Freedom Act, 42 U.S.C. § 1996 (AIRFA); the Archeological Resources Protection Act, 16 U.S.C. § 470aa (ARPA), and the Native American Graves Protection and Repatriation Act, 25 U.S.C. 3001-13 (NAGPRA), and has represented this intention in a separate document entitled "Use of [Project Name] MOA to Address the Requirements of Laws Other Than Section 106," dated [mm/dd/yy]; and

WHEREAS pursuant to Section 101(d)(6)(B) of NHPA, the American Indian Religious Freedom Act, Executive Order 13007, and Section 3(c) of the Native American Graves Protection and Repatriation Act, the Army has invited the [Tribal Name] Indian Tribe (Tribe) to participate in the consultation and to concur in this MOA; and

WHEREAS the Army and SHPO have also invited the [County/Local] Historic Preservation Office (XXHPO) and the [City/Township] Historic District Residents' Association (Association) to participate in the consultation and to concur in this MOA; and

NOW, THEREFORE, the Army and the SHPO agree that, upon implementation of this MOA, and upon the Army's decision to proceed with the [Project Name], the Army shall ensure that the following stipulations are implemented in order to take into account the effects of the [Project Name] on historic properties.

STIPULATIONS

The Army shall ensure that the following stipulations are implemented:

- I. Visual Effects on the [Local Name] Historic District.
 - A. Design. The Army shall proceed with design of the [Project Name] based on the document dated [mm/dd/yy] and titled "Initial [Project Name] Concept Design" prepared by [Government Contractors] (Appendix I), taking into account the recommended approaches in the "Setting: District or Neighborhood" and "New Additions to Historic Buildings" sections of the Secretary of the Interior's Standards for Rehabilitation and Illustrated Guidelines for Rehabilitating Historic Buildings (U.S. Department of the Interior, National Park Service, 1992; pp. 76-80 and 90-93).
 - B. The Army will consult with the Tribe concerning the possible visual impacts of the [Project Name] on traditional cultural use of [project site and project APE], and will seek agreement with the Tribe regarding measures to mitigate any such impacts, subject to Stipulation IV. G.
 - C. Should the Army's agreement with the Tribe, or any supporting documents, reveal the nature of the Tribe's use of [project site], such that releasing such information could affect such use, the Army will endeavor to withhold such information from public release in accordance with NHPA Section 304.
 - D. Impact mitigation measures may include, but are not limited to:
 1. Controls on the design of the [Project Name], including siting, massing, color, and placement on the landscape;
 2. Controls on the season in which construction occurs;
 3. Vegetative barriers;
 4. Compensatory actions such as guarantee of future tribal access to [project site].
 - E. Review. The Army shall provide the SHPO with plans and specifications for the [Project Name] at the 35%, 75% and 95% design levels, and afford the SHPO at least thirty (30) calendar days to comment on such plans and specifications.
 - F. Resolving concerns. The Army shall consult with the SHPO to resolve any concerns raised by the SHPO with regard to plans and specifications reviewed pursuant to stipulation I.B. If any such concern is not resolved through such consultation, the Army shall seek resolution in accordance with stipulation IV.G.
- II. Controlling Indirect Effects on the [Local Name] Historic District
 - A. Design Standards. The Army will cooperate with XXHPO and the Association in developing design standards for construction and modification of structures, signage, street furniture, and other physical improvements in the [Local Name] Historic District, with the understanding that the imposition of such standards falls within the powers of the [City Name] City Government and will occur only at the City Government's discretion.
 - B. Brochure. In consultation with XXHPO and the Association, the Army will publish a brochure of no more than fifteen (15) pages, with illustrations, outlining the district's significant architectural

characteristics and promoting their preservation. This brochure will be made available by the Army to workers in and visitors to the [Project Name] building.

III. Effects on Archeological Site XXXXXXXX

- A. Preparation of data recovery plan. THE ARMY shall ensure that a data recovery plan (plan) is developed in consultation with the SHPO and the Tribe for the recovery of archeological data from archeological site XXXXXXXX (the site). The plan shall be responsive to the Secretary of the Interior's Standards and Guidelines for Archeological Documentation (48 FR 44734-37) and take into account the Council's publication, Treatment of Archeological Properties (Advisory Council on Historic Preservation, (draft) 1980), subject to any pertinent revisions the Council may make in the publication prior to completion of the data recovery operations described in the plan to which such changes pertain.
- B. Minimum content of plan. The Army shall ensure that the plan specifies, at a minimum:
 - 1. The research questions to be addressed through the data recovery, with an explanation of their relevance and importance;
 - 2. The methods to be used, with an explanation of their relevance to the research questions;
 - 3. The methods to be used in analysis, data management, and dissemination of data, including a schedule;
 - 4. The proposed disposition of recovered materials and records;
 - 5. Proposed methods for involving the interested public in the data recovery;
 - 6. Proposed methods for disseminating results of the work to the interested public;
 - 7. Proposed methods by which the Tribe and the Association will be kept informed of the work and afforded the opportunity to participate; and
 - 8. A proposed schedule for the submission of progress reports to the SHPO, Tribe, Association, and XXHPO.
- C. Review and implementation of plan. The Army shall ensure that the plan is submitted to the SHPO, Tribe, Association, and XXHPO for 30 calendar days review.
 - 1. Unless the SHPO, Council, Tribe, Association or XXHPO objects within 30 days after receipt of the plan, the Army shall ensure that the plan is implemented prior to and in coordination with those project activities that could disturb the site.
 - 2. If the SHPO, Council, Tribe, Association or XXHPO objects to the plan within 30 days after receipt, the Army shall consult with the objecting party and the SHPO to resolve the objection, and having resolved the objection, shall implement the plan subject to whatever modifications have resulted from resolution of the objection.
 - 3. If the Army determines that the objection cannot be resolved, the Army shall comply with stipulation IV.G.
- D. Curation. Except as provided in stipulation III.E, the Army shall ensure that all materials and records resulting from the data recovery are curated in accordance with 36 CFR Part 79 by an institution or organization selected by the Army in consultation with the SHPO, Tribe, and XXHPO.

- E. NAGPRA. The Army shall undertake to comply with Section 3(c) of NAGPRA by:
1. Ensuring that the plan prepared pursuant to Stipulation III.A is developed in consultation with the Tribe.
 2. Ensuring that the following are included in a permit or permits issued to a qualified party or parties (the ARPA permittee) under Section 4 of the Archeological Resources Protection Act (16 U.S.C. 470cc: ARPA), which permit may take the form of a contract:
 - a. The terms of the plan prepared pursuant to Stipulation III.A;
 - b. A list of those classes of materials that are understood to be sacred objects of the Tribe, as defined at Section 2(3)(C) of NAGPRA, based on consultation with the Tribe and including but not limited to ritual clay vessels;
 - c. A list of the classes of materials that are understood to constitute cultural patrimony of the Tribe as defined at Section 2(3)(D) of NAGPRA, based on consultation with the Tribe;
 - d. A requirement that the ARPA permittee ensure that, to the extent feasible, all Native American cultural items, including human remains, associated and unassociated funerary objects as defined at Section 2(3)(A) and (B) of NAGPRA, sacred items as listed pursuant to paragraph III.E.2.b above, and cultural patrimony as listed pursuant to paragraph III.E.2.c above, are recovered in consultation with the Tribe, regardless of the need to recover such items for purposes of research;
 - e. A requirement that the ARPA permittee monitor all ground disturbance associated with construction of the [Project Name] that might result in encountering Native American cultural items, in order to document and recover any Native American cultural items encountered during such activities;
 - f. A requirement that, should any items that may be Native American cultural items be encountered during implementation of the undertaking, all activity that could disturb such items ceases in the vicinity of the items, and that such items are inspected by the ARPA permittee;
 - g. A requirement that if the ARPA permittee determines that the items are Native American cultural items, the ARPA permittee shall recover the items in accordance with the plan, or where the plan is not applicable, in accordance with such archeological methods and practices as the Army determines to be appropriate, taking into account the recommendations of the ARPA permittee, the wishes of the Tribe, the requirements of the [Project Name] construction, considerations of safety and environmental protection, and other applicable considerations;
 - h. A requirement that the ARPA permittee ensure that no Native American cultural item is subjected to forms of analysis other than those specified in the plan, except that, should none of the provisions of the plan pertaining to analysis apply to a recovered item, the measures to be employed in analyzing the recovered item shall be determined by the Army in consultation with the ARPA permittee and the Tribe;
 - i. A requirement that the ARPA permittee complete all analysis within 12 months after Native American cultural items are recovered unless a longer time period is specified by the Army after consultation with the Tribe; and
 - j. A requirement that the ARPA permittee repatriate all Native American cultural items to the Tribe within 90 days after completion of the analyses specified in the plan.

3. Ensuring that construction permits, contracts, and/or other applicable documents provide for cooperation with the ARPA permittee in carrying out the ARPA permittee's responsibilities.
- F. Section 110(b) documentation. In furtherance of its responsibilities under Section 110(b) of the Act, the Army shall ensure:
1. That all final archeological reports resulting from actions pursuant to this MOA are provided to the SHPO, Tribe, Association, and XXHPO, and to the Archeological Assistance Division, National Park Service (NPS) for inclusion in the National Archeological Data Base (NADB); and
 2. That all such reports are responsive to contemporary professional standards, and to the Department of Interior's Format Standards for Final Reports of Data Recovery Program (42 FR 5377-79).
- G. Should the data recovery process indicate the existence of heretofore unknown archaeological resources, the Army will review the potential significance of such resources in consultation with the SHPO, the Tribe, the Association, and XXHPO, to determine whether they are significant enough to justify expenditure of funds on their preservation. Depending upon the outcome of this review, the Army may elect to design the project to preserve resources in place, to conduct archaeological data recovery to recover significant data from such resources, or to document such resources through archaeological monitoring during construction, subject to the terms of a Plan of Action to be developed by the Army pursuant to the regulations implementing NAGPRA (43 CFR § 10). The Army shall afford the SHPO, the Tribe, the Association, and XXHPO at least thirty (30) days to review and comment on, or object to, its decision about the treatment of archaeological resources.

IV. Administrative Stipulations

- A. Review of Submittals. Whenever any party to this MOA is given the opportunity to review documents prepared pursuant to the terms of this MOA, that party shall have thirty (30) calendar days to conduct such review. Failure of a reviewing party to provide comments in accordance with this stipulation may be taken to indicate approval of the pertinent document by the reviewing party.
- B. Definition of parties. For the purposes of this MOA the term "parties to this MOA" means the Army, the SHPO, and the Council, each of which has authority under 36 CFR § 800.7 to terminate the consultation process, plus the Tribe, the Association, and XXHPO upon their representatives' written concurrence in the MOA.
- C. Monitoring costs. The Army shall monitor the costs of carrying out the terms of this MOA, including the costs estimated or billed by contractors, the costs of contract administration, and the costs of project delay.
- D. Consultation if cost may exceed \$500,000. Should the Army determine that the costs of carrying out the terms of this MOA may exceed one-half million dollars (\$500,000), the Army shall contact the other parties to this MOA and seek consultation with them to establish ways to limit costs, subject to stipulation IV.G.
- E. Professional supervision. The Army shall ensure that all activities regarding treatment of historic buildings carried out pursuant to this MOA are carried out by or under the direct supervision of a person or persons meeting at a minimum the Secretary of the Interior's Professional Qualifications Standards for Historic Architecture (48 FR 44739), and that all activities regarding archeology carried out pursuant to this MOA are carried out by or under the direct supervision of a person or persons meeting at a minimum the Secretary of the Interior's Professional

Qualifications Standards for Archeology (48 FR 44739). However, nothing in this stipulation may be interpreted to bar the Army or any agent or contractor of the Army to utilize the properly supervised services of employees and volunteers who do not meet the above standards.

- F. Alterations to Project Documents. The Army shall not alter any plan, scope of services, or other document that has been reviewed and commented on pursuant to this MOA, except to finalize documents commented on in draft, without first affording the parties to this MOA the opportunity to review the proposed change and determine whether it shall require that this MOA be amended. If one or more such party determines that an amendment is needed, the parties to this MOA shall consult in accordance with 36 CFR § 800.6(c)(7) to consider such an amendment.
- G. Annual report and review.
 - 1. On or before [Day, Month] of each year until the Army, Council, and SHPO agree in writing that the terms of this MOA have been fulfilled, the Army shall prepare and provide an annual report to the SHPO, Council, Tribe, Association, and XXHPO, addressing the following topics:
 - a. Progress in design and construction of the [Project Name];
 - b. Progress in archeological data recovery;
 - c. Any problems or unexpected issues encountered during the year; and
 - d. Any changes that the Army believes should be made in implementation of this MOA.
 - 2. The Army shall ensure that its annual report is made available for public inspection, that potentially interested members of the public are made aware of its availability, and that interested members of the public are invited to provide comments to the Council and SHPO as well as to the Army.
 - 3. The SHPO and Council shall review the annual report and provide comments to the Army. The Tribe, Association, and XXHPO may review and comment on the annual report at their discretion.
 - 4. At the request of any party to this MOA, a meeting or meetings shall be held to facilitate review and comment, to resolve questions, or to resolve adverse comments.
 - 5. Based on this review, the Army, SHPO, and Council shall determine whether this MOA shall continue in force, be amended, or be terminated.
- H. Resolving objections.
 - 1. Should any party to this MOA object to any action carried out or proposed by the Army with respect to the [Project Name] or implementation of this MOA, the Army shall consult with the objecting party to resolve the objection. If after initiating such consultation the Army determines that the objection cannot be resolved through consultation, the Army shall forward all documentation relevant to the objection to the Council, including the Army's proposed response to the objection. Within thirty (30) days after receipt of all pertinent documentation, the Council shall exercise one of the following options:
 - a. Advise the Army that the Council concurs in the Army's proposed final decision, whereupon the Army will respond to the objection accordingly;
 - b. Provide the Army with recommendations, which the Army shall take into account in reaching a final decision regarding its response to the objection; or

- c. Notify the Army that the objection will be referred for comment pursuant to 36 CFR § 800.7(b), and proceed to refer the objection and comment. The resulting comment shall be taken into account by the Army in accordance with 36 CFR § 800.7(c)(4) and § 110(l) of NHPA.
 2. Should the Council not exercise one of the above options within thirty (30) days after receipt of all pertinent documentation, the Army may assume the Council's concurrence in its proposed response to the objection.
 3. The Army shall take into account any Council recommendation or comment provided in accordance with this stipulation with reference only to the subject of the objection; The Army's responsibility to carry out all actions under this MOA that are not the subjects of the objection shall remain unchanged.
 4. At any time during implementation of the measures stipulated in this MOA, should an objection pertaining to this MOA be raised by a member of the public, the Army shall notify the parties to this MOA and take the objection into account, consulting with the objector and, should the objector so request, with any of the parties to this MOA to resolve the objection.
- I. Amendments. Any party to this MOA may propose to the Army that the MOA be amended, whereupon the Army shall consult with the other parties to this MOA to consider such an amendment. 36 CFR § 800.6(c) shall govern the execution of any such amendment.
 - J. Termination.
 1. If the Army determines that it cannot implement the terms of this MOA, or if the SHPO or Council determines that the MOA is not being properly implemented, the Army, SHPO, or Council may propose to the other parties to this MOA that it be terminated.
 2. The party proposing to terminate this MOA shall so notify all parties to this MOA, explaining the reasons for termination and affording them at least thirty (30) days to consult and seek alternatives to termination.
 3. Should such consultation fail, the Army, the SHPO, or the Council may terminate the MOA. Should the MOA be terminated, the Army shall either:
 - a. Consult in accordance with 36 CFR § 800.6(c)(8) to develop a new MOA; or
 - b. Request the comments of the Council pursuant to 36 CFR § 800.7(a).

Execution of this MOA by the Army and the SHPO, its subsequent acceptance by the Council, and implementation of its terms, evidence that the Army has afforded the Council an opportunity to comment on the Army's construction of the [Project Name] and its effects on historic properties, and that the Army has taken into account the effects of its construction of the [Project Name] on historic properties.

DEPARTMENT OF ARMY, [Installation]

By: _____ Date: _____
COMMANDER [Installation]

By:_____ Date:_____
[State] STATE HISTORIC PRESERVATION OFFICER

By:_____ Date:_____

CONCUR:

[Tribal Name] INDIAN TRIBE

By:_____ Date:_____

[City/Township] HISTORIC PRESERVATION OFFICE

By:_____ Date:_____

[Local] HISTORIC DISTRICT RESIDENTS' ASSOCIATION

By:_____ Date:_____

ACCEPTED: ADVISORY COUNCIL ON HISTORIC PRESERVATION

By:_____ Date:_____

SAMPLE DOCUMENT-MEMO OF AGREEMENT FOR RECOVERY OF SIGNIFICANT INFORMATION

MEMORANDUM OF AGREEMENT FOR RECOVERY OF SIGNIFICANT INFORMATION

FROM ARCHAEOLOGICAL SITE(S)

[list]

UNDERTAKING:

STATE:

AGENCY:

Whereas, in accordance with 36 CFR Part 800, the [Installation] acknowledges and accepts the advice and conditions outlined in the Council's ``Recommended Approach for Consultation on the Recovery of Significant Information from Archaeological Sites," published in the Federal Register on [date of publication]; and

Whereas, the consulting parties agree that recovery of significant information from the archaeological site(s) listed above may be done in accordance with the published guidance; and

Whereas, the consulting parties agree that it is in the public interest to expand funds to implement this project through the recovery of significant information from archaeological sites to mitigate the adverse effects of the project; and

Whereas, the consulting parties agree that Indian Tribes or Native Hawaiian organizations that may attach religious or cultural importance to the affected property(ies) have been consulted and have raised no objection to the work proposed; and

Whereas, to the best of our knowledge and belief, no human remains, associated or unassociated funerary objects or sacred objects, or objects of cultural patrimony as defined in the Native American Graves Protection and Repatriation Act (25 U.S.C. 3001), are expected to be encountered in the archaeological work;

Now, therefore, the [Installation] shall ensure that the following terms and conditions, including the appended Archaeological Data Recovery Plan, will be implemented in a timely manner and with adequate resources in compliance with the National Historic Preservation Act of 1966 (16 U.S.C. 470).

OTHER TERMS AND CONDITIONS:

Modification, amendment, or termination of this agreement as necessary shall be accomplished by the signatories in the same manner as the original agreement. Disputes regarding the completion of the terms of this agreement shall be resolved by the signatories. If the signatories cannot agree regarding a dispute, any one of the signatories may request the participation of the Council to assist in resolving the dispute. This agreement shall be null and void if its terms are not carried out within 5 (five) years from the date of its execution, unless the signatories agree in writing to an extension for carrying out its terms.

Installation Commander:

Date:

State Historic Preservation Officer:

Date:

Tribal President or Designated Tribal Official:

Date:

Other Public or Private Entity:

Date:

[Attach Archaeological Data Recovery Plan here]

The data recovery plan should be developed with a research design in consultation with the SHPO/THPO and other stakeholders in a manner that is consistent with the *Secretary of the Interior's Standards for the Treatment of Historic Properties*, the Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation, and the *Advisory Council on Historic Preservation's Treatment of Archaeological Properties: A Handbook*. The plan should specify: (a) The results of previous research relevant to the project; (b) research problems or questions to be addressed with an explanation of their relevance and importance; (c) the field and laboratory analysis methods to be used with a justification of their cost-effectiveness and how they apply to this particular property and these research needs; (d) the methods to be used in artifact, data, and other records management; (e) explicit provisions for disseminating the research findings to professional peers in a timely manner; (f) arrangements for presenting what has been found and learned to the public, focusing particularly on the community or communities that may have interests in the results; (g) the curation of recovered materials and records resulting from the data recovery in accordance with 36 CFR part 79 (except in the case of unexpected discoveries that may need to be considered for repatriation pursuant to NAGPRA); and (h) procedures for evaluating and treating discoveries of unexpected remains or newly identified historic properties during the course of the project, including necessary consultation with other parties.

SAMPLE DOCUMENT-ICRMP IMPLEMENTATION PROGRAMMATIC AGREEMENT

ICRMP IMPLEMENTATION PROGRAMMATIC AGREEMENT

PROGRAMMATIC AGREEMENT

AMONG

THE DEPARTMENT OF THE ARMY,

THE [insert STATE] STATE HISTORIC PRESERVATION OFFICER, AND

THE ADVISORY COUNCIL ON HISTORIC PRESERVATION

REGARDING THE DEVELOPMENT AND IMPLEMENTATION OF AN INTEGRATED CULTURAL RESOURCES MANAGEMENT PLAN FOR

[Installation] PROPERTIES WITHIN THE STATE OF [insert STATE]

WHEREAS, the United States Army, [insert Installation] (Army), proposes to develop an Integrated Cultural Resources Management Plan (ICRMP) in accordance with AR 200-4; for all [Installation] properties within the State of [insert State]; and,

WHEREAS, the Army proposes to continue to coordinate and administer an ongoing program in support of the Army training and operation mission, including construction, maintenance, development, recreation and other undertakings at the [Installation] military reservation within the State of [State] under the provisions of the [Installation] ICRMP; and,

WHEREAS, the Army has determined that the aforementioned undertakings may have an effect on historic properties that have been determined eligible for listing in the National Register of Historic Places (National Register) and has consulted with the Advisory Council on Historic Preservation (Council) and the [insert State] State Historic Preservation Officer (SHPO), pursuant to Section 800.6 of the regulations (36 CFR §800), implementing Section 106 of the National Historic Preservation Act (NHPA) (16 U.S.C. 470f); Section 110(f) of the same Act (16 U.S.C. Section 470h-2(f)), and Section 111 of the same Act (16 U.S.C. Section 47h-3) and,

WHEREAS, the [Installation] military reservation is understood to include the properties indicated on the Map at Figure 1 (of the [Installation] ICRMP); and,

WHEREAS, the area of potential effects for most undertakings such as rehabilitation, maintenance, training and construction activities are the areas within the [Installation] military reservation's boundaries and other lands as identified at Figure 1 of the [Installation] ICRMP for the State of [insert State]; and,

WHEREAS, the terms defined in Appendix A (of the [Installation] ICRMP) are applicable throughout this Programmatic Agreement (PA); and,

WHEREAS, the Army will be guided by the provisions of the nationwide Programmatic Agreement among the Department of Defense, Council and National Conference of State Historic Preservation Officers ratified on July 7, 1986, and amended in May, 1991, regarding the demolition of WWII temporary structures. Execution of this Programmatic Agreement is not intended to supersede the nationwide Programmatic Agreement cited above; and

WHEREAS, pursuant to AR 200-4, the Army has designated the [Installation] commander to serve as the agency official responsible for compliance with the requirements of Sections 106 and 110 of the NHPA; and,

NOW, THEREFORE, the Army, [Installation], the [State] SHPO, and the Council agree that the [Installation] ICRMP, including those components thereof that address the Army's training and operation mission at [Installation] military reservations within the State of [insert State] shall be administered in accordance with the following stipulations to satisfy the Army's Section 106 and 110 responsibilities for all individual undertakings of this program.

STIPULATIONS

The Army shall ensure that the following stipulations are implemented:

I. Integrated Cultural Resources Management Plan

A. Preparation

1. The Army will prepare an Integrated Cultural Resources Management Plan (ICRMP) in accordance with policy guidance provided in DoD Directive 4715.3 *Environmental Conservation*, AR 200-4 *Cultural Resources Management*, and Section 110(a)(2)(E) of the *National Historic Preservation Act of 1966, as amended*, and in conformance with the outline shown in Appendix A to this agreement.
2. The Army will ensure that the ICRMP is developed in consultation with the [insert State] SHPO and the Council and [list all federally recognized tribes who are culturally affiliated with lands controlled by the Installation within the State where this ICRMP will be implemented]. Prior to final acceptance of this Programmatic Agreement (PA) by the SHPO, the Army shall follow those procedures established by 36 CFR 800.3 through 800.6.
3. The ICRMP will specify standards of significance for evaluating sites, both prehistoric and historic, and will present research questions within a regional context.
4. The ICRMP will specifically address procedures to be followed in the event of inadvertent discovery of previously unknown archaeological deposits in accordance with the *Native American Graves Protection and Repatriation Act*, 25 U.S.C. 3001-13 (NAGPRA) and the *Archaeological Resources Protection Act*, 16 U.S.C. Part 470aa (ARPA). The ICRMP will also address continued federal law enforcement commitments.
5. The ICRMP will address provisions for permanent curation of all archaeological artifacts collected from [Installation] properties within the State of [insert State], in accordance with 36 CFR 79 *Curation of Federally-Owned and Administered Archaeological Collections*.

B. Review

1. When the ICRMP is complete in draft form, the Army will provide copies of the draft ICRMP to the SHPO and the Council for review and acceptance. Disagreements or questions about the draft ICRMP will be resolved through consultation among the parties.
2. The Army shall provide the SHPO, the Council, and interested public, a 45-day opportunity to review and comment on the draft ICRMP. If within 45 days of receipt of the draft ICRMP, neither the SHPO nor the Council object in writing, the Army shall consider the draft ICRMP as final and implement it. If the SHPO, the Council or the interested public object to all or part of the draft ICRMP, the Army shall consult with the objecting party to resolve the objection(s) in accordance with 36 CFR (b)(2). In the event that agreement cannot be reached regarding the draft ICRMP, the SHPO and the Army will follow those procedures established in 36 CFR 800.3 through 800.6, coordinating all undertakings with the SHPO on a case-by-case basis. Upon acceptance of the draft ICRMP by the SHPO, and the Council, the Army will finalize and implement it in lieu of compliance with 36 CFR 800.3 through 800.6 and 36 CFR 800.13.
3. The [Installation] shall coordinate with the signatory parties to this PA annually to discuss proposed undertakings for the upcoming year, results of ICRMP implementation during the previous year, the overall effectiveness of the ICRMP, and the need for making amendments to it.

C. Execution

1. The Army shall employ or enter into a contract with qualified professionals that meet the *Secretary of the Interior's Professional Qualification Standards* (48 FR 44738-9) to review work related to their respective professions that is required in accordance with procedures described in the ICRMP and pursuant to this PA.
2. If the Army determines that it cannot employ or contract with qualified professionals to review work as described in the ICRMP and as required pursuant to this PA, the Army shall ensure that plans and specifications, work/job orders, and construction contracts are reviewed in accordance with Stipulation I(C)(1) by qualified professionals meeting the standards described above available at the Major Command level or at the Army Environmental Center.
3. By [date], the Army shall analyze [Installation] documents to identify specific Army undertakings that may be subject to review pursuant to Section 106 and the terms of this PA over the a five-year planning cycle as described in the ICRMP. The documents to be analyzed shall include, but are not limited to, the Master Plan, military construction plans, troop training and range operation plans, Integrated Natural Resource Management Plans, and historic property renovation and demolition plans that are scheduled for implementation within five years of execution of the PA.
4. The Army shall establish and document priorities for identification, evaluation and treatment of historic properties that might be affected by the undertakings identified pursuant to Stipulation I(C)(3) of this PA. The Army shall ensure that all relevant [Installation] offices within the state of [insert State] are informed of the potential effects of these undertakings on historic properties and of the requirements to ensure that an analysis of alternatives is fully considered as early as possible in planning.
5. The Army shall ensure that the undertakings and all related activities identified pursuant to Stipulation I(C)(3) are planned, reviewed and carried out in accordance with the terms of this PA and in accordance with the *Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation* (NPS 1983:44738-9). The Army shall include a list of undertakings in the annual coordination meeting with the [insert State] SHPO, as required pursuant to Stipulation I(B)(3).
6. Documentation of all archaeological sites and historical properties identified during surveys will be provided to the SHPO in the annual [Installation] Cultural Resources Management Series Report completed at the end of each calendar year. Site update information, including documentation of inadvertent damage to archaeological sites and Army actions to avoid impact to archaeological sites, shall be provided to the SHPO in the annual report.

II. Tenant Activities

- A. The Army shall ensure that the terms of this PA apply to all tenants and tenant activities on [Installation] properties within the State of [insert State]. The Army shall inform tenants of their responsibility regarding historic properties and the terms of this PA.
- B. The Army shall require all tenants to obtain [Installation] approval prior to undertaking any activity that may affect historic properties.

III. Anti-Deficiency Act

- A. The stipulations of this Agreement are subject to the provisions of the Anti-Deficiency Act. If compliance with the Anti-Deficiency Act alters or impairs the Army's ability to implement the stipulations of this Agreement, the Army will consult in accordance with the Amendment and Termination procedures found at Stipulations V and VI of this Agreement.

IV. Dispute Resolution

- A. Should the [insert State] SHPO and/or the Council object within thirty (30) days to any plan or other documents provided by the Army or others for review pursuant to this PA, or to any actions proposed or initiated by the Army pursuant to this PA, the Army shall consult with the objecting party to resolve the objection. If the Army determines that the objection cannot be resolved, the Army shall forward all documentation relevant to the dispute to the Council. Within thirty (30) days after receipt of all pertinent documentation, the Council will either:
 - 1. Provide the Army with recommendations, which the Army will take into account in reaching a final decision regarding the dispute; or
 - 2. Notify the Army that it will comment pursuant to 36 CFR § 800.7(c), and proceed to comment.
- B. Any Council comment will be taken into account by the Army in accordance with 36 CFR § 800.7(c)(4) with reference to the subject of the dispute.
- C. Any recommendations or comment provided by the Council pursuant to Stipulation IV (A) above will pertain only to the subject of the dispute. The Army's responsibility to carry out all other actions under this agreement that are not the subjects of the dispute will remain unchanged.
- D. At any time during implementation of the measures stipulated in this agreement by the Army, if an objection to any such measure or its manner of implementation is raised by interested persons, the Army shall consider the objection and consult, as appropriate, with the objecting party, the SHPO, and the Council to attempt to resolve the objection.

V. Amendments

- A. The Army, [insert State] SHPO, and/or Council may request that this PA be revised, whereby the parties will consult to consider whether such revision is necessary.
- B. If it is determined that revisions to this PA are necessary, then the Army, the Council, and the SHPO shall consult pursuant to 36 CFR § 800.14(b), as appropriate, to make such revisions. Except that, reviewing parties must comment on, or signify their acceptance of, the proposed changes to the PA in writing within 30 calendar days of their receipt.

VI. Termination of Agreement

- A. The Army, the [insert State] SHPO, and/or Council may terminate this PA by providing thirty (30) days written notice to the other signatory parties. During the period after notification and prior to termination the Army, the Council, and the SHPO will consult to seek agreement on amendments or other actions that would avoid termination. In the event of termination, the Army will comply with 36 CFR § 800.3 through 800.6 with regard to individual undertakings at [Installation] properties within the state of [insert State].

- B. Execution and implementation of this PA evidences that the Army has afforded the Council a reasonable opportunity to comment on the [Installation] ICRMP and associated activities addressed within the body of this PA within the state of [insert State], and that the Army has taken into account the effects of the undertaking on historic properties. Execution and compliance with this programmatic agreement fulfills the Army's Section 106 responsibilities regarding the operation, maintenance and development of [Installation] properties within the state of [insert State] in accordance with the [Installation] ICRMP for the five year planning period as described in the ICRMP.

[insert Installation]

By: _____ Date: _____ .
Colonel
Commander

[insert State] STATE HISTORIC PRESERVATION OFFICER

By: _____ Date: _____ .
State Historic Preservation Officer

ADVISORY COUNCIL ON HISTORIC PRESERVATION

By: _____ Date: _____ .
Executive Director

SAMPLE DOCUMENT-COMMANDER'S MEMORANDUM ADDRESSING CULTURAL RESOURCES

COMMANDER'S MEMORANDUM ADDRESSING CULTURAL RESOURCES

XXXX-XX-XXXX (200-4)

Date

MEMORANDUM FOR Distribution

SUBJECT: Cultural Resources on Fort XXXXXXX

1. Numerous archaeological and historical sites exist on Fort XXXXXXX. These sites represent a valuable and irreplaceable scientific and cultural resource.
2. All such cultural resources are under the full protection of federal law. It is illegal to disrupt, destroy, excavate, or otherwise remove artifacts or any other objects from the surface or beneath the surface of these sites. Even taking a single arrowhead found on installation property is a federal crime. Offenders may receive maximum fines of \$100,000 with up to five years imprisonment. Rewards of up to \$500 may be paid to any person who furnishes information leading to a finding of civil violation or conviction of criminal violations.
3. Each Directorate on Fort XXXXXXX must notify their personnel of this situation and provide sufficient control to prevent damage to, or any unauthorized removal of, artifacts and other objects from such sites. The federal laws are applicable not only to individuals collecting artifacts, but also to official organizational and program-related construction, such as construction of roads, grading of firebreaks, excavation for communication cables, utilities, etc. All official actions which may impact a site require prior coordination with the installation cultural resources program manager.
4. Excavating, "breaking ground," or disturbing any surface or subsurface landscape must not be accomplished until an environmental compliance review has been completed IAW AR 200-1 and installation regulation xxxxx. Advanced planning and early coordination will prevent costly delays in projects requiring landscape modification or displacement.
5. Individuals discovering suspected archaeological materials should leave them in place and report their location to the Cultural Resources Program Manager, x1234, Bldg. #1. Suspected violations should likewise be reported to the above.

Colonel, U.S. Army
Commander

**SAMPLE DOCUMENT-LETTER NOTIFYING SHPO OF PROPOSED PROJECT IAW
SECT. 106**

LETTER NOTIFYING SHPO OF PROPOSED PROJECT IAW SECTION 106

Mr. [Xxxxx]
Chief, Division of Archaeology and Protection
Bureau for Historic Preservation
[State] State Historical Preservation Office
[Street Address]
[City, State, Zip Code]

Dear Mr. [Xxxxx]:

The [Installation] is planning to construct a [Project Description] at [Project Site] located in [County], [State]. We request that you accept this letter as notification of this project under 36 CFR § 800.3. Pursuant to Section 800.4(a) of the regulations, we are assessing what information we need in order to further identify properties that may be affected by our proposed new construction. We have determined that the area of potential effects (APE) of construction on the site is as shown on the enclosed map.

Our intention at this time is to proceed with a [reconnaissance/intensive] archaeological survey of all areas subject to below ground disturbance within the project area for the purpose of identification of historic properties. We are prepared to conduct more detailed studies as needed to identify specific properties subject to effect, and to evaluate identified properties using the National Register Criteria (36 CFR 60.4), and to apply the Criteria of Effect and Adverse Effect (36 CFR 800.5(a)(1)) as needed.

We propose to enter into consultation with the federally recognized Native American Tribes and Tribal Historic Preservation Offices (THPO) who may be culturally affiliated with the [Project Site], representatives of local governments, and the interested public, in accordance with 36 CFR § 800.2(d) and § 800.3(c)(3). In the course of our study we would also seek to identify Native American groups whom we may need to consult pursuant to the Native American Graves Protection and Repatriation Act (NAGPRA) pending positive identification of any recovered artifacts as human remains of prehistoric origin.

All these activities will be carried out in consultation with your office, and, as necessary, with the National Register and the Advisory Council on Historic Preservation. We may modify our findings as needed based on this coordination and on the results of public review. We would appreciate your views on the above outline of our proposed approach, together with any other advice you may have. If we do not hear from you within thirty (30) days, we will assume that you concur with our approach and will proceed, but in any event a representative of our historic preservation office will be in touch with your office soon to further facilitate this coordination. If you have any questions about this project, please contact [Installation Environmental Coordinator] at (xxx) xxx-xxxx.

Sincerely,

SAMPLE DOCUMENT-LETTER REPORTING NO HISTORIC PROPERTIES

LETTER REPORTING NO HISTORIC PROPERTIES

Mr. [Xxxxx]
Chief, Division of Archaeology and Protection
Bureau for Historic Preservation
[State] State Historical Preservation Office
[Street Address]
[City, State, Zip Code]

Dear Mr. [Xxxxx]:

The [Installation] is planning to construct a [Project Description] at [Project Site] located in [County], [State]. We provided your office with notification of this project under 36 CFR § 800.3 on [DD/MM] of this year. We have conducted the background research, consultation, and sample field surveys pursuant to Section 800.4(a) and (b) of the regulations, in order to further identify properties that may be affected by our proposed new construction.

As a result of our efforts to identify and evaluate historic properties, we have determined, pursuant to 36 CFR §800.4(d)(1), that there are no historic properties present within the project area. We base our determination on the following documentation:

1. [A description of the undertaking, specifying the federal involvement, and its area of potential effects, including photographs, maps, drawings, as necessary];
2. [A description of the steps taken to identify historic properties, including, as appropriate, efforts to seek information pursuant to §800.4(b)];
3. [The basis for determining that no historic properties are present or affected];

We propose to notify the federally recognized Native American Tribes and Tribal Historic Preservation Offices (THPO) who may be culturally affiliated with the [Project Site], representatives of local governments, and the interested public, in accordance with 36 CFR § 800.4(d)(1) of the above determination.

If we do not hear from you or any of the other above referenced correspondents within thirty (30) days, we will assume that you concur with our finding and will proceed with our project. If you have any questions about this project, please contact [Installation Environmental Coordinator] at (xxx) xxx-xxxx.

Sincerely,

SAMPLE DOCUMENT-LETTER DOCUMENTING HISTORIC PROPERTIES HAVE BEEN FOUND

LETTER DOCUMENTING HISTORIC PROPERTIES HAVE BEEN FOUND

[Mr./Ms.] [Xxxxx]
Chief, Division of Archaeology and Protection
Bureau for Historic Preservation
[State] State Historical Preservation Office
[Street Address]
[City, State, Zip Code]

Dear [Mr./Ms.] [Xxxxx]:

The [Installation] is planning to construct a [Project Description] at [Project Site] located in [County], [State]. We provided your office with notification of this project under 36 CFR § 800.3 on [DD/MM] of this year. As a result of our efforts to identify and evaluate historic properties, we have determined, pursuant to 36 CFR §800.4(d)(2), that there are historic properties present within the project area based on the following documentation:

1. [A description of the undertaking, specifying the Federal involvement, and its area of potential effects, including photographs, maps, and drawings, as necessary.]
2. [A description of the steps taken to identify historic properties.]
3. [A description of the affected historic properties, including information on the characteristics that qualify them for the National Register.]
4. [A description of the undertaking's effects on historic properties.]
5. [An explanation of why the criteria of adverse effect were found applicable or inapplicable, including any conditions or future actions to avoid, minimize or mitigate adverse effects.]
6. [Copies or summaries of any views provided by consulting parties and the public.]

Pursuant to 36 CFR §800.5, we invite your views and assessments concerning the effects of our proposed project on the above referenced historic properties.

We propose to notify the federally recognized Native American Tribes and Tribal Historic Preservation Offices (THPO) who may be culturally affiliated with the [Project Site], representatives of local governments, and the interested public, in accordance with 36 CFR § 800.4(d)(1) of the above finding.

If we do not hear from you or any of the other above referenced correspondents within thirty (30) days, we will assume that you concur with our finding and will proceed to apply the Criteria of adverse effect in accordance with 36 CFR §800.5(a). If you have any questions about this project, please contact [Installation Environmental Coordinator] at (xxx) xxx-xxxx.

Sincerely,

SAMPLE DOCUMENT-NOTICE OF INADVERTENT DISCOVERY

NOTICE OF INADVERTENT DISCOVERY

Mr. [Name of Indian Tribal Leader]
President, [Specific Name of Indian Tribe] Nation
[Street Address]
[City/State]

Mr. [Name of Indian Tribal Leader]

I am writing to inform you of the inadvertent discovery of [Native American human remains/sacred objects/funerary objects/items of cultural patrimony] at [Installation] on [dd/mm/yy]. In accordance with the Native American Graves Protection and Repatriation Act of 1990 (NAGPRA), (43 CFR Part 10 Section 10.4), we recognize our responsibility to notify all Indian Tribal groups that may be culturally affiliated with any human remains, funerary objects, sacred objects, or objects of cultural patrimony that are discovered inadvertently on the [Installation] Military Reservation. We also request your assistance in the identification and notification of traditional religious leaders within your tribe who should also be consulted. This notification is required by NAGPRA.

The inadvertent discovery of [Native American human remains/sacred objects/funerary objects/items of cultural patrimony] occurred at xxxx hrs [Time Zone] Daylight Savings Time, in the [township, section, range, county], on [Installation] during [brief description of events leading to the discovery]. **[Include a statement similar to this example:** *A subsurface tank emplacement created by an M1 tank exposed human remains consisting of the left humerus, left ulna and several carpal bone fragments of the left hand of an adult human skeleton that our archaeologists believe to be of prehistoric origin*]. In accordance with 43 CFR §10.4(c), all activity in the area of the discovery was immediately halted. The exposed [Native American human remains/sacred objects/funerary objects/items of cultural patrimony] were protected by the erection of a portable shelter over the excavation site and the area was cordoned off and protected by [Installation] military police.

I propose that a representative of the [Specific name of Indian tribe] Nation meet with our Native American Coordinator and Cultural Resource Program Manager at the conference room of Building xxxx on [Installation] at 0800 hours on [dd/mm/yy] to further consider the inadvertent discovery, the proposed interim treatment and the proposed disposition of the human remains in accordance with 43 CFR §10.6. If a representative of your [specific Indian tribe or Native Hawaiian organization] cannot meet with our representatives at the above referenced time and location, we request that an alternate meeting time and location be determined by telephone consultation within 24 hours of receipt of this notification.

The return certified mail receipt attached to this letter constitutes evidence of receipt of this notification by the [Specific name of Indian tribe] Nation. For additional information or assistance, please contact [Cultural Resources Program Manager] at (xxx) xxx-xxxx.

Sincerely,

Colonel
Commander

Copies Furnished:

PROGRAM COORDINATOR, BURIAL SITES PRESERVATION PROGRAM, STATE HISTORICAL SOCIETY
OF [State], [Mailing Address]

DR. FRANCIS McMANAMON, DEPARTMENTAL CONSULTING ARCHAEOLOGIST, NATIONAL PARK SERVICE, P.O. BOX 37127, WASHINGTON, DC 20013-7127

MACOM

HQDA (DAIM-ED-R) ASCIM, 600 ARMY PENTAGON, WASH DC 20310-600

U.S. ARMY ENVIRONMENTAL CENTER, ATTN: SFIM-AEC-ECN, ABERDEEN PROVING GROUND, MD 21010-5481

SAMPLE DOCUMENT-NHPA SECTION 106 RECOMMENDED APPROACH FOR CONSULTATION ON RECOVERY OF SIGNIFICANT INFORMATION FROM ARCHAEOLOGICAL SITES

NHPA SECTION 106 (36 CFR 800) RECOMMENDED APPROACH FOR CONSULTATION ON RECOVERY OF SIGNIFICANT INFORMATION FROM ARCHAEOLOGICAL SITES

Adapted from Section 106 Regulations Users Guide | Archeological Guidance Section at:
<http://www.achp.gov/archguide/html>

Overview

In accordance with §800.5 and §800.6 of its revised regulations (36 CFR part 800, ``Protection of Historic Properties), implementing Section 106 of the National Historic Preservation Act of 1966, the Advisory Council on Historic Preservation has published the following recommended approach for consultation by Federal agencies, State Historic Preservation Officers, Tribal Historic Preservation Officers, and others on the effects of Federal, federally-assisted, and federally-licensed or -permitted undertakings on archaeological sites. The Council has determined that issuance of this guidance is consistent with the Council's revised regulations effective on June 17, 1999.

Background: Sections 800.5 and 800.6 of the Council's revised regulations, ``Protection of Historic Properties" (36 CFR part 800) detail the process by which Federal agencies determine whether their undertakings will adversely affect historic properties, and if they will, how they are to consult to avoid, minimize, or mitigate the adverse effects in order to meet the requirements of Section 106 to ``take into account" the effects of their undertakings on historic properties.

One such category of historic properties is comprised of prehistoric or historic archaeological resources. The National Register of Historic Places defines an archaeological site as ``the place or places where the remnants of a past culture survive in a physical context that allows for the interpretation of these remains" (National Register Bulletin 36, ``Guidelines for Evaluating and Registering Historical Archaeological Sites and Districts," 1993, p. 2). Such properties may meet criteria for inclusion in the National Register of Historic Places for a variety of reasons, not the least of which may be because ``they have yielded, or may be likely to yield, information important to prehistory or history" (*National Register Criteria for Evaluation*, 36 CFR 60.4).

In the context of taking into account the effects of a proposed Federal or federally-assisted undertaking on any district, site, building, structure, or object that is included in or eligible for inclusion in the National Register, potential impacts to archaeological sites often need to be considered. Appropriate treatments for affected archaeological sites, or portions of archaeological sites, may include active preservation in place for future study or other use, recovery or partial recovery of archaeological data, public interpretive display, or any combination of these and other measures.

Archaeological Sites and Their Treatment

The nature and scope of treatments for such properties should be determined in consultation with other parties, but in the Council's experience they generally need to be guided by certain basic principles:

- The pursuit of knowledge about the past is in the public interest.
- An archaeological site may have important values for living communities and cultural descendants in addition to its significance as a resource for learning about the past; its appropriate treatment depends on its research significance, weighed against these other public values.
- Not all information about the past is equally important; therefore, not all archaeological sites are equally important for research purposes.

- Methods for recovering information from archaeological sites, particularly large-scale excavation, are by their nature destructive. The site is destroyed as it is excavated. Therefore management of archaeological sites should be conducted in a spirit of stewardship for future generations, with full recognition of their non-renewable nature and their potential multiple uses and public values.
- Given the non-renewable nature of archaeological sites, it follows that if an archaeological site can be practically preserved in place for future study or other use, it usually should be (although there are exceptions). However, simple avoidance of a site is not the same as preservation.
- Recovery of significant archaeological information through controlled excavation and other scientific recording methods, as well as destruction without data recovery, may both be appropriate treatments for certain archaeological sites.
- Once a decision has been made to recover archaeological information through the naturally destructive methods of excavation, a research design and data recovery plan based on firm background data, sound planning, and accepted archaeological methods should be formulated and implemented. Data recovery and analysis should be accomplished in a thorough, efficient manner, using the most cost-effective techniques practicable. A responsible archaeological data recovery plan should provide for reporting and dissemination of results, as well as interpretation of what has been learned so that it is understandable and accessible to the public. Appropriate arrangements for curation of archaeological materials and records should be made. Adequate time and funds should be budgeted for fulfillment of the overall plan.
- Archaeological data recovery plans and their research designs should be grounded in and related to the priorities established in regional, state, and local historic preservation plans, the needs of land and resource managers, academic research interests, and other legitimate public interests.
- Human remains and funerary objects deserve respect and should be treated appropriately. The presence of human remains in an archaeological site usually gives the site an added importance as a burial site or cemetery, and the values associated with burial sites need to be fully considered in the consultation process.
- Large-scale, long-term archaeological identification and management programs require careful consideration of management needs, appreciation for the range of archaeological values represented, periodic synthesis of research and other program results, and professional peer review and oversight.

Resolving Adverse Effects through Recovery of Significant Information from Archaeological Sites

Under 36 CFR 800.5, archaeological sites may be "adversely affected" when they are threatened with unavoidable physical destruction or damage. Based on the principles articulated above, the Council recommends that the following issues be considered and addressed when archaeological sites are so affected, and recovery of significant information from them through excavation and other scientific means is the most appropriate preservation outcome.

If this guidance is followed, it is highly unlikely that the Council would decide to enter the consultation process under 36 CFR 800.6 or raise objections to the proposed resolution of adverse effects in a given case, unless it is informed of serious problems by a consulting party or a member of the public.

1. The archaeological site should be significant and of value chiefly for the information on prehistory or history it is likely to yield through archaeological, historical, and scientific methods of information recovery, including archaeological excavation.
2. The archaeological site should not contain or be likely to contain human remains, associated or unassociated funerary objects, sacred objects, or items of cultural patrimony as those terms are defined by the Native American Graves Protection and Repatriation Act (25 U.S.C. 3001).
3. The archaeological site should not have long-term preservation value, such as traditional cultural and religious importance to an Indian tribe or a Native Hawaiian organization.

4. The archaeological site should not possess special significance to another ethnic group or community that historically ascribes cultural or symbolic value to the site and would object to the site's excavation and removal of its contents.
5. The archaeological site should not be valuable for potential permanent in-situ display or public interpretation, although temporary public display and interpretation during the course of any excavations may be highly appropriate.
6. The Federal Agency Official should have prepared a data recovery plan with a research design in consultation with the SHPO/THPO and other stakeholders that is consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties, the Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation, and the Advisory Council on Historic Preservation's Treatment of Archaeological Properties: A Handbook. The plan should specify: (a) The results of previous research relevant to the project; (b) research problems or questions to be addressed with an explanation of their relevance and importance; (c) the field and laboratory analysis methods to be used with a justification of their cost-effectiveness and how they apply to this particular property and these research needs; (d) the methods to be used in artifact, data, and other records management; (e) explicit provisions for disseminating the research findings to professional peers in a timely manner; (f) arrangements for presenting what has been found and learned to the public, focusing particularly on the community or communities that may have interests in the results; (g) the curation of recovered materials and records resulting from the data recovery in accordance with 36 CFR part 79 (except in the case of unexpected discoveries that may need to be considered for repatriation pursuant to NAGPRA); and (h) procedures for evaluating and treating discoveries of unexpected remains or newly identified historic properties during the course of the project, including necessary consultation with other parties.
7. The Federal Agency Official should ensure that the data recovery plan is developed and will be implemented by or under the direct supervision of a person, or persons, meeting at a minimum the *Secretary of the Interior's Professional Qualifications Standards* (48 FR 44738- 44739).
8. The Federal Agency Official should ensure that adequate time and money to carry out all aspects of the plan are provided, and should ensure that all parties consulted in the development of the plan are kept informed of the status of its implementation.
9. The Federal Agency Official should ensure that a final archaeological report resulting from the data recovery will be provided to the SHPO/THPO. The Federal Agency Official should ensure that the final report is responsive to professional standards and to the Department of the Interior's Format Standards for Final Reports of Data Recovery Programs (42 FR 5377-79).
10. Large, unusual, or complex projects should provide for special oversight, including professional peer review.
11. The Federal Agency Official should determine that there are no unresolved issues concerning the recovery of significant information with any Indian tribe or Native Hawaiian organization that may attach religious and cultural significance to the affected property.
12. Federal Agency Officials should incorporate the terms and conditions of this recommended approach into a Memorandum of Agreement or Programmatic Agreement, file a copy with the Council per Sec. 800.6(b)(iv), and implement the agreed plan. The agency should retain a copy of the agreement and supporting documentation in the project files.