

HISTORIC HAWAII FOUNDATION

November 16, 2011

Ms. Ellyn P. Goldkind, RA
Historic Preservation Officer
NAVFAC Hawaii
400 Marshall Road
Bldg. X-11, Code EV5
Pearl Harbor, HI 96860-3139

Re: HHF Comments on Determination of Effect (October 24, 2011) and Draft Programmatic Agreement (November 9, 2011) regarding 'Ewa Field –Kalaeloa Renewable Energy Park

Dear Ms. Goldkind,

Thank you for distributing the draft Programmatic Agreement (PA) dated 09 November 2011 regarding the Kalaeloa Renewable Energy Park. Historic Hawai'i Foundation (HHF) received the draft PA via email on November 10 with the request for comment by November 16. HHF was also copied on a letter from Navy Region Hawai'i to the Historic Preservation Division dated October 24, 2011, which transmitted the Navy's Project Description, Area of Potential Effect, Identification of Historic Properties and Determination of Adverse Effect. HHF has participated in Section 106 consultation meetings and teleconferences since Section 106 consultation was initiated in August 2011.

HHF acknowledges that the project's proposed site has changed and is no longer being proposed for location on the footprint of the former Marine Corps Air Station 'Ewa Field. Per the project description, the proposed site is a stretch of land south of the 1941 'Ewa Field runway. The revised location was selected to minimize the adverse effect on the historic runway. The proposed design and installation system is intended to minimize ground penetration and excavation and is described as "fully reversible."

HHF concurs with the Area of Potential Effect, the Identification of Historic Properties and the Determination of Adverse Effect on the following historic properties:

- 'Ewa Field Runway/Warm Up Platform
- MCAS 'Ewa Runway #8
- MCAS 'Ewa Compass Rose
- Administration Building #972
- SOSUS Operations building #1767
- SOSUS Power Plant Building #1768



HHF has the following comments on the draft PA:

Pg. 1, fifth Whereas clause: change 25 years to 20 years as the anticipated period of the useful life of the system, to be consistent with project descriptions sent previously.

Pg. 2, Stipulation I.B, bullet 2: Define the level and type of “support” that Navy will provide for the nomination of the ‘Ewa Battlefield to the National Register of Historic Places, in the event that the Keeper determines it to be eligible. Will “support” include access to the site, to documentation, to archival information, technical assistance, financial assistance, agreement to concur with and submit the nomination, or other actions?

Pg. 3, Stipulation I.C. bullet 1: “Retain” implies that a PV system is already in place on the site. Suggest change to “Use”

Pg. 3, Stipulation I.C. bullet 5: Define the activities, monitoring, reporting and outcomes that are expected as part of “explore agreements with adjacent landowners...”. HHF supports the intent of this stipulation, but the current wording is vague and unenforceable. It should be defined to describe who is responsible to take what actions within what timeframe as demonstrated by what results and evaluated by whom to determine whether or not the stipulation has been completed.

Pg. 3, Stipulation I.F: HHF supports the intent of providing financial support for an affiliate group that will organize and facilitate efforts to preserve, interpret, plan and implement objectives for the long-term preservation of the historic resources associated with the former Marine Corps Air Station ‘Ewa and the December 7, 1941 battle. In order to ensure that the development of this group includes a process that is fair, transparent, accountable and credible, HHF recommends the following:

- a. Navy should develop a scope of services that describes the intent, goals, objectives, tasks, timeline and reporting requirements that must be fulfilled in order to meet the purpose of the stipulation.
- b. Navy should develop a request for proposal (RFP) to select a lead organization to implement the scope of services. The RFP should describe the scope and submittal requirements for proposals. We recommend that proposals should include narrative descriptions of such items as the organization’s legal status, governance structure, capacity to deliver the scope of services, qualifications of its personnel and/or contractors, business plan for implementing the scope of services (including financial, timelines and human resources), public engagement or partnering plan, and reporting or monitoring protocols.
- c. The RFP should include the selection criteria and selection process by which proposals will be evaluated and a lead organization selected.
- d. Navy should develop a cooperative agreement with the selected organization that memorializes the roles and responsibilities of each entity, including conditions for the release of funding and performance standards for evaluating the activities.
- e. The PA should include a description of the selection methodology and timeline for its completion.
- f. The PA should include a process or outcome that addresses an alternative use of the funding in the event that an unexpected condition occurs, such as: the Navy does not receive proposals; the proposals do not meet the selection criteria; the Navy and selected

organization do not execute an agreement; or the organization does not perform to standards.

Pg. 4, Stipulation I.G: Stipulation should include enforceability for removal of components at the end of the project's life cycle. The requirement may need to be part of the lease, or a bond or escrow fund established to allow the Navy to implement this stipulation in the unforeseen event that that project owner does not.

Pg. 4, Stipulation II.A. Stipulation should state that the PA and all agreements run with the land and not with the current owner. All sub-leasees, owners and assigns are bound by the agreement.

HHF also recommends that a monitoring and reporting requirement be added to the PA, including annual updates on the status and results of the mitigation measures.

Thank you for the opportunity to comment. We look forward to continuing consultation on this undertaking.

Very truly yours,

A handwritten signature in black ink, appearing to read "Kiersten Faulkner". The signature is written in a cursive, flowing style.

Kiersten Faulkner, AICP
Executive Director

Copies via email:
Consulting Parties (per contact list 6 October 2011)