Programmatic Agreements for Military Training and Training Area Management

March 24, 2015

Kick-Off Meeting
I. Welcome

II. Purpose

III. Programmatic Agreement (PA) Basics

IV. Army Proposal

V. PA Development Process

VI. Group Discussion
Introductions
1. To describe the Army’s initial proposal:

Develop Programmatic Agreement(s) to manage Army’s historic preservation responsibilities connected to recurring military training actions and associated land management actions in Hawaii.

2. To solicit initial feedback regarding proposal, public involvement, and path forward.
What is a Programmatic Agreement (PA)?

A Programmatic Agreement (or “PA”) is:

- Formal document listing agreed-upon terms and conditions to comply with Section 106 requirements of National Historic Preservation Act
- Describes process and actions that will be taken to resolve potential adverse effects of a federal agency program
- Alternative to Section 106 4-step process
- Intended to be flexible – adaptable to different circumstances, needs
Programmatic Agreements are recommended for:

- Any effects that are similar and repetitive
- Routine management activities occurring at a Federal installation or land managing agency
- Other circumstances warranting a departure from normal section 106 process
Why pursue a PA?

Programmatic Agreement Benefits:

- Provides consistent, predictable process for review
- Consolidates “patchwork” of previous consultation outcomes
- Clearer communications to Army range managers and training planners
- Better outcomes on the ground for preservation of properties
- Reduces paperwork and time spent on repetitive “no effect” undertakings
- Resolves parties’ concerns regarding numerous letters, notices
- Maintains review and accountability for smaller undertaking review
## Who’s involved? What are their roles?

<table>
<thead>
<tr>
<th>U.S. Army in Hawaii</th>
<th>Proposes agreement; conducts consultations and public involvement; signs agreement.</th>
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<tbody>
<tr>
<td>Advisory Council on Historic Preservation</td>
<td>Participates in consultations; assures preservation requirements are met; signs agreement.</td>
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<tr>
<td>State Historic Preservation Division</td>
<td>Participates in consultations; represents interests of public; contributes localized knowledge of historic properties and their significance; signs agreement.</td>
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<tr>
<td>Native Hawaiian Organizations, interested parties / individuals</td>
<td>Participates in consultations; shares recommendations and concerns.</td>
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<td>Higher Army Commands</td>
<td>Assures process and documents meet requirements and conform to Army policies and guidance.</td>
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<tr>
<td>General Public</td>
<td>Kept apprised of consultations; provided opportunity to comment; shares recommendations and concerns.</td>
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Army Proposal:

• To develop Programmatic Agreement(s) to manage Army’s historic preservation responsibilities connected to recurring military training actions and associated land management actions in Hawaii.
What is the Army proposing?

Proposed Structure of Programmatic Agreement(s)

- Army envisions two separate PA documents
  - Pohakuloa Training Area PA
  - Oahu PA (excluding Makua and Kawaii Loa)

- Possible Alternatives
  - Include both islands in one PA
  - Develop separate agreements for each training area
Proposed areas for inclusion in PA(s):

• Hawaii Island training areas:
  – Pohakuloa (including Keamuku Training Area)
  – Kawaihae

• Oahu training areas:
  – Schofield Barracks (including East Range)
  – Kahuku
  – Dillingham

• Excluded Areas: Makua, Kawailoa, cantonment areas, other installation areas (Tripler Army Medical Center, Fort DeRussy, etc.)
Proposed activities to be included in PA(s):

- Current regularly recurring military training activities
- Recurring range maintenance activities
- Recurring training area management activities
General Structure of PA

• “Whereas” declarations, or “Preamble”
• Stipulations defining general framework
• Stipulations for specific actions and processes
• Administrative Provisions
• Supporting Information (Appendices)
**Anticipated Stipulations**

<table>
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<tr>
<th>Undertakings that may proceed without further review</th>
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<td>Undertakings that may proceed with CRM determination of no effects / no adverse effects; periodic reports</td>
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<td>Undertakings that may proceed with streamlined consultation</td>
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<td>Circumstances that elevate any of the above into the 4-step process</td>
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<td>Periodic reports and review of effectiveness of procedures being implemented</td>
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**What is included in a PA?**
## What is included in a PA?

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<thead>
<tr>
<th><strong>Anticipated Administrative Provisions</strong></th>
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<tr>
<td>Anti-Deficiency Act disclaimer</td>
<td>Post-review discovery procedures</td>
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<tr>
<td>Dispute resolution procedures</td>
<td>Reports and reporting commitments</td>
</tr>
<tr>
<td>Amendment processes</td>
<td>Confidentiality of sensitive information</td>
</tr>
<tr>
<td>Duration and / or expiration dates</td>
<td>Termination procedures</td>
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<tr>
<td>Additional Federal involvement</td>
<td>Others as may be required or needed</td>
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The Army’s Hawaii Cultural Resources staff proposes:

- Host periodic meetings on pre-announced topics
- Draft sections of PA based on discussions and input
- Staff drafts with higher Army Commands for their review
- Circulate results to all participating / interested parties
- Repeat cycle until issues and concerns are adequately addressed and satisfactory agreement is achieved
Group Discussion
# Comments, Suggestions, Ideas?

**Oahu**

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## Hawaii

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