

**KANEHILI CULTURAL HUI  
P.O. Box 75578 KAPOLEI, HI. 96707**

September 21, 2015

Daniel Peters  
Assistant Inspector General  
United States Pacific Command  
Box 64043 Camp H.M. Smith, HI 96861-4043

Aloha Mr. Peters,

***RE: We are in receipt of your following email messages as follows;***

*18 Sept @ 0036 hrs w/one attachment (Preservation Letter c).*

*17 Sept @ 1452 hrs w/one attachment (NPS City Transfer).*

*16 Sept @ 1456 hrs w/no attachment.*

*14 Sept @ 1233 hrs w/one attachment (12/7/2015 PACOM IG).*

*11 Sept @ 2257 hrs w/two attachments (PACOM IG & Leina - Navy PA).*

Thank you very much for sending DD 2949 - Joint IG Action Request (JIGAR) to formally establish our complaint. We believe the issues of this land transfer are very serious with national public relations implications on many levels concerning veterans and native Hawaiians. We have already expressed our concerns to members of Congress and the executive branch.

These Navy land transfers are being secretly expedited to intentionally evade public Section 106 comment responsibilities involving identified important historic and cultural sites, as well as renegeing on signed programmatic agreements with the Hawaii community. All Navy land transfers must immediately cease until the requirements of Federal law, the PA and Executive Orders are honestly and justly complied with and not a contrived "in compliance" scheme.

We sincerely wish to see an honest and just resolution and are not seeking an outcome that will tarnish the reputation of the US Navy. We seek fairness, justice and an honest process. We see our issues as relatively easy to remedy if the signed Navy Section 106 agreements are followed as they should have been in the first place. The Navy "in compliance" scheme is deceitful.

These land transfers should be a Section 106 process but are instead being done without public consultation. Kanehili Cultural Hui – Save Ewa Field is a 501-c-3, officially recognized, with well documented knowledge of the history and cultural of the Ewa Plain and ahupua'a of Honouliuli. Leaving Kanehili Cultural Hui (KCH) out is a direct insult to veterans and native Hawaiian culture.

KCH sees an intentional misdirection by the Navy to delay and defeat the intention of the PA and the nomination of the Ewa Battlefield. Navy claims they are "in compliance" but their

tactics speak of intentional contrivance to thwart the well documented expressed will of the people of Hawaii and the United States in many resolutions and public support letters.

**The Navy contrived dishonor seeks to defeat and defraud the expressed will of the people**

The full intention of the Hawaii public will regarding the nomination of Ewa Battlefield was clearly expressed in three Oahu neighborhood board resolutions in 2008 and passage of HCR-49 in 2009 by the Hawaii State Legislature (all using similar language) declaring full support of Ewa Field as a nationally recognized battlefield park, museum and national monument. <http://ewafield.blogspot.com/2014/07/hawaii-state-legislature-2009-hcr49.html> The State legislature resolution was supported by many local political representatives still in office, some now in different capacities, including Senator David Ige, now governor of Hawaii.

The State of Hawaii DLNR Chair Laura Thielen wrote testimony in full support of HCR-49 and further stated that the Ewa Battlefield should become part of the NPS WW-II Valor in the Pacific National Monument and also be nominated as a separate National Monument.

**KCH-Save Ewa Field also has on file for inspection hundreds of letters from all over the United States from Pearl Harbor veterans and families, military veterans of all branches of service and national veterans organizations- all supporting the official nomination of the Ewa Battlefield to the National Historic register. This will truly be a Navy public relations disaster.**

The KREP PA specifically listed, in detail, *“site visitation/use for non-profit groups that maintain commercial general liability insurance to facilitate interpretation and commemorate activities at the site.”* (None of this ever happened. And the Navy is allowing their client Hunt Corp to escape all signed PA promises and stipulations in this secret expedited land transfer deal.)

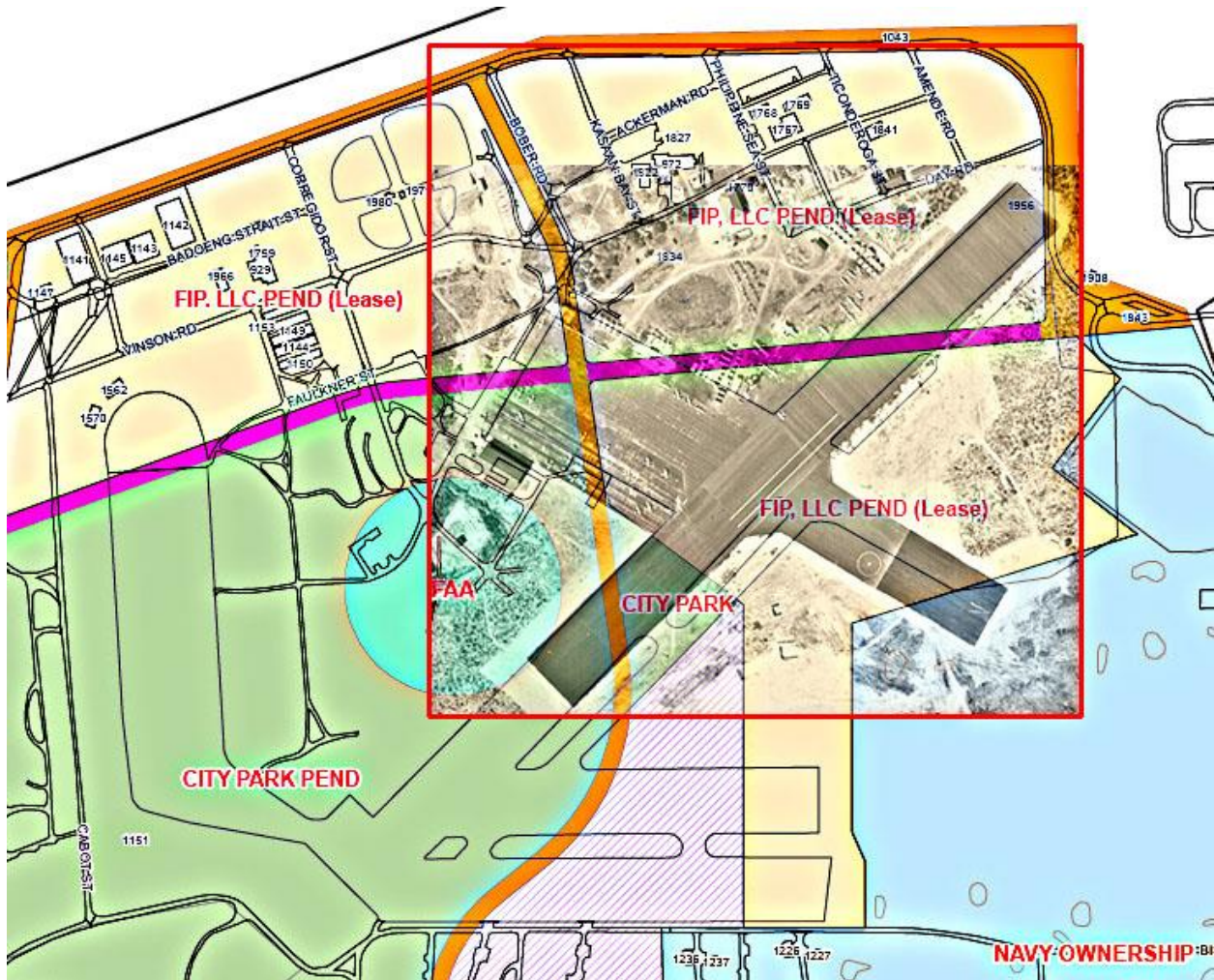
**This entire fraudulent process will become a dark chapter in Navy public relations.**

The US Navy is accomplishing absolutely nothing with their diversion tactics except defrauding the will of the Hawaii and American people in behalf of corporate profits for Hunt Corp and those that receive special insider benefits working in behalf of their land sales agenda.

Kanehili Hui – Save Ewa Field has produced at their own expense and by donations an annual December 7 Pearl Harbor Commemoration since 2008. Hunt Corp and the Navy even threatened early commemoration attendees with arrest. Even sending out armed MP's to frighten veterans and their families away. Marine veterans were intimidated to not attend.

However every year the actual land title holder – The Navy BRAC office in San Diego, issued an event license at no cost. Clearly it wasn't an official Navy policy to prevent veterans from holding a Pearl Harbor battlefield commemoration but instead the local Navy NavFac office acting in behalf of Hunt Corp interests. Hunt Corp has many times objected to this annual December 7 commemoration and this past year they stated we could no longer have the annual commemoration event. They demanded a very expensive insurance policy. But they stopped

short of preventing the commemoration this past year because the BRAC PMO again issued a site license because the land transfer has not yet taken place. Link below is the 2014 event. <http://ewa-battlefield-nomination.blogspot.com/2014/12/ewa-field-commemoration-2014.html> This year we were recently informed no further site license would be issued because of the land transfer. This was never supposed to have happened according to the signed PA.



Map shows original 1941 base boundary. The Navy golf course and FAA beacon have already been excluded from the Navy accepted DOE. The only non-Navy parcel is shown in pink, which is DHHL. **This very small piece, not integral to the battlefield, could ALSO be detached and the Navy could process the nomination immediately according to Federal CFR's.**

Pearl Harbor veterans, their families and the public have waited over seven years for this constantly delayed and sidetracked nomination. Numerous Ewa Field veterans have died over the past years awaiting the nomination. Veteran families ask: "Why is the Navy doing this?" Now Hawaii SHPD, without any battlefield knowledge is re-writing the nomination again which has already gone through three intensely vetted iterations, as well as a final Navy DOE acceptance and with addition further NPS Keeper vetting. **WHY all these intentional delays?**

**It's all about PROFIT: The Hunt Navy Programmatic Agreement Financial Fraud and deceit**

Kalaeloa Renewable Energy Park 13 December 2012, PA Quarterly Report #01, I.F Financial Contribution / Affiliate Group: "Since NEPA review was concluded on 06 December 2012, two actions are required within the 60 calendar days that follow: 1) Signatories will draft criteria and selection process and deliver to Concurring Parties for a 30-day review period, and 2) KV will place \$10,000 in seed money into escrow, pending selection of an Affiliate Group." Submitted By: Ellyn P. Goldkind, Historic Preservation Officer Navy Region Hawaii / NAVFAC Hawaii.

**This of course never happened.** Ellyn Goldkind later bragged that the community could have gotten up to \$500,000. Retired Gen. Stackpole later stated that Ewa Field should have gotten far more than was offered. Everyone in the Section 106 meetings (which were all recorded on video) expressed deep frustration with the constant Navy manipulation and deceptions. Public airing of these meetings will be a great embarrassment to the Navy.

**The Navy now is intentionally using 36 CFR Part 60 in a way to prevent battlefield nomination**

**The Navy real estate group is using a contrived interpretation of the KREP Programmatic Agreement in concert with Hawaii SHPD to create an eleven month bureaucratic delay in order to make certain the SHPO nomination arrives AFTER the land is transferred to Hunt Corp. It is all about profits for Hunt Corp to sell off the lands without any encumbrances. The nomination blocking land scheme has been a backroom insider plan since at least 2012.**

The Navy clearly has the option to resolve the Ewa Battlefield issue very quickly by the Navy FPO submitting the nomination directly as the land owner. The Hawaii SHPO lost their ability to legally delay the nomination after 45 days. The Navy has full authority under the CFR's to remedy this disgraceful delay by nominating the battlefield right now in time for December 7, 2015. They could look really good, OR this will be a dishonorable and disgraceful December 7 as the national media learns the Navy has AGAIN blocked the nomination of the Ewa Battlefield.

The KREP PA states: *"If determined eligible, the Navy will support nomination (by others) of the Ewa Field Battlefield to the National Register of Historic Places. Support will include providing technical assistance, review of draft nominations and supporting documents, research/documentation assistance, and access to all archival materials. The Navy Region Hawaii Historic Preservation Officer will forward the nomination to the Navy's Federal Preservation Officer for review and action, pursuant to applicable sections of 36 CFR 60."*

The "by others" meant that the Navy wasn't going to pay for the nomination because they had "no money." It was agreed in the KREP 106 meetings that a grant would sought from the NPS ABPP by a non-profit. Meanwhile the Navy and Hunt decided they HAD THE MONEY and paid AECOM to do a battlefield report- which would reflect not the actual battlefield but Hunt Corp's real estate development plans. The NPS was critical of this SECOND Ewa battlefield report for the very reason that it was a subjective "historic integrity" product and not an actual battlefield

analysis. It now appears Hawaii SHPO is again wasting time and acting in behalf of the NavFac – Hunt Corp agenda by going back to this same old methodology that has already been rejected.

**Only the land owner- the Navy, can send a nomination to the keeper of the register.** No one else. This is why the interpretation of the CFR's by NavFac is wrong and a delaying tactic.

<https://www.law.cornell.edu/cfr/text/36/part-60>

§ 60.9 Nominations by Federal agencies (d) *“After receiving the comments of the State Historic Preservation Officer, and chief elected local official, or if there has been no response within 45 days, the Federal Preservation Officer may approve the nomination and forward it to the Keeper of the National Register...”* (This is the NAVY FPO in DC who has the authority to do this.)

§ 60.10 Concurrent State and Federal nominations. This CFR states *“Federal agencies may nominate properties where a portion of the property is not under Federal ownership or control.”* The Navy as land owner is the ONLY party that can send the nomination to the NPS Keeper. SHPD has fumbled with the submitted nomination and MAY review it in November. Yet there could easily be even more “unintentional delays” created by SHPD in concert with the NavFac Pac land transfer agenda. SHPD will not reveal what’s in and why they are rewriting the nomination that they have no expertise in.

§ 60.11 Requests for nominations. (a) The State Historic Preservation Officer or Federal Preservation Officer as appropriate **shall respond in writing within 60 days** to any person or organization submitting a completed National Register nomination form or requesting consideration for any previously prepared nomination form on record with the State or Federal agency. (This never happened.)

KCH has learned that the SHPO, in their capacity to continuously delay the nomination process has decided to rewrite it primarily by a mid-level employee with no experience in battlefields, which is a highly specialized field and a far different analysis than determining the historic integrity of an old house. This rewrite will accomplish little other than another delay mechanism as the National Park Service still has authority to override a poor SHPO battlefield analysis, as NPS has done twice previously. **Pearl Harbor vets die as bureaucrats delay.**

There have been THREE Ewa Battlefield reports since 2011. The NPS American Battlefield Protection Program provided comments on the first two. In 2012 a \$54,000 NPS grant to write a nomination was contracted to GAI Consultants of Pennsylvania which has extensive experience in battlefield analysis. This nomination process took two years of very detailed archival research, oral histories, contributions by internationally respected Pearl Harbor battlefield scholars and on site surveys and use of Ground Penetrating Radar to discover and map subsurface archeological features of the battlefield. It was very thorough and detailed. The Navy always insisted there were no archeological features but they are extensively documented in the GAI nomination and also in the MCAS Command History as well as by native Hawaiians.

<http://ewabattlefield.blogspot.com/2014/08/Ewa-Battlefield-Nomination.html>



The KREP PA states: *In consultation with SHPO archaeologist and the National Park Service American Battlefield Protection Program (NPS-ABPP), the Navy will develop a remote sensing testing plan and a standard/systematic archeological testing plan to aid in defining World War II battlefield boundaries and event locations.* (This never happened. However, GAI DID do this.)

The GAI “draft” was submitted to the Navy FPO for review and comment. By the end of 2014 the Navy FPO in DC officially accepted and sent to the NPS Keeper the nomination and GAI battlefield boundary area as a Determination of Eligibility (DOE). The NPS carefully vetted it and released the DOE in February 2014. A copy of the final nomination was transmitted to the Hawaii SHPO. KCH was told at the time “everything looked very good because all parties had agreed upon a boundary.” However, SHPO never submitted the nomination to the review board and then apparently took it upon themselves to re-write the nomination once again.

**At the direction of NavFac Pac and their secret transfer agenda, this has become a total SHAM**

We believe that the current intention of the Navy land transfer is provide as little if any ENFORCABLE PROTECTION for Ewa Field once the land transfer is made. There is no archeological Protection Plan. Covenants will be meaningless as they are never enforced in Kalaeloa. Hunt Corp will bring in heavy equipment to damage the battlefield site as soon as possible and lease it out to garbage haulers, junked cars and site demolition companies, as they do now nearby. Car racers will be back in tearing up the area as they have been for years with no enforcement by anyone. Hunt Corp has a long and well documented history of damaging the historic integrity of the MCAS Ewa which the Hawaii SHPO informed them in 2008-9 was entirely National Register eligible. However the Navy has consistently done little if anything to enforce anything, including signed agreements. Clearly Nav Fac Pacific is in Hunt’s pocket and does whatever Hunt Corp tells them to do. This is the dirtiest Federal land deal ever.

**Navy BRAC documents specifically detail Native Hawaiian National Register sites**

In addition, the US Navy during the BRAC process funded many reports and studies, including determinations that as part of the native Hawaiian Plain of Kaupe’a and Kanehili, all of NAS Barbers Point-MCAS Ewa was National Register eligible under categories A, B and D. (<http://www.achp.gov/nrcriteria.html>) Details of this report can be found on this blog link: [http://kanehili.blogspot.com/2015\\_08\\_01\\_archive.html](http://kanehili.blogspot.com/2015_08_01_archive.html) (Tuggles, Maly, etc. 2001)

Table 6. Navy Retained Lands at Former NAS Barbers Point: Potential Traditional Cultural Properties

Place	Ahupua’a	NRHP Criteria				Physical Integrity
		A	B	C	D	
Kaupe’a (plain)	Honouliuli	x	x		x	area developed

**The NavFac land transfer has refused to acknowledge the very sacred site, federally recognized national register eligible *Leina a ka uhane*, Traditional Cultural Property.**

Further, the HART Programmatic Agreement for rail required the identification of important wahi pana (sacred sites) of which the *Leina a ka uhane* was extensively well documented and cited as National Register eligible under categories A and B. FTA, HART and the chair of DLNR all wrote letters officially noting the importance of the NR “Leina District” with a map showing it specifically covering all of NAS Barbers Point-MCAS Ewa. The HART PA also specifically states that **“regardless of effect determination, the City (HART) will complete NRHP nominations that meet the NRHP criteria.”** (This informed the Navy of a federal NRHP determination.)

Table 7 presents the Leina a ka ‘uhane as a single sacred and storied place, identifying the applicable ahupua‘a, theme, National Register criteria, and integrity of relationship and condition.

**Table 7. Leina a ka ‘Uhane with Associated Theme and National Register Eligibility Criteria.**

Wahi Pana	Ahupua‘a	Theme	National Register A	National Register B	Integrity of Relationships	Integrity of Condition
Leina a ka ‘uhane	Hālawa Moanalua, Waiau, Waimano, Pu‘uloa, Honouliuli	2	Associated with pattern of events – Leaping off place to the spirit world	Associated with the akua Kānehili, Leiolono, and Milu	TBD	TBD

In our opinion, each of the 26 individually identified wahi pana, as well as the Leina a ka ‘uhane, likely has integrity of relationship. Wahi pana are sacred and storied places on the land and our archival research and informant interviews suggest that these storied places are important to the retention and or transmittal of knowledge and beliefs about the land and history of the Hawaiian People on O‘ahu.

### **“Some Hawaiians Believe In Karst”**

This is another insult to native Hawaiians and contrary with all Ewa Plain archeological and scientific documentation. Every attempt to bring up the known Hawaiian archeology of the site and documented Karst history was rejected by the Navy 106. This is why the Programmatic Agreement includes the culturally insulting "Some Hawaiians believe in Karst..." statement. Yet photos of karst caves, karst caves being used to store bomb fuses and a photo of a SeaBee bulldozer fallen into a large karst cave are all part of the MCAS Ewa Command history.

### **A gross violation of the Programmatic Agreement happened immediately**

*“Navy is obligated to ensure stipulations are being followed.”* (They did NOT)

*“Monitoring for KV/LLC maintenance of the site is the sole responsibility of the Navy, per the KV lease.”* (Where were the monitors when the PA was grossly violated every single day?)

*“Corporate Average Fuel Economy (CAFE) standards define a Light Truck as “any truck or truck derivative with a gross vehicle weight rating of 8,500 pounds or less which has a vehicle curb*

weight of 6,000 pounds or less.” (Hunt Corp immediately brought in the largest GVW trucks and tracked equipment - Navy never said anything about this gross PA violation despite being shown photos and video evidence. See photos and video sent to CNRH, NavFac for proof: <http://ewafield.blogspot.com/2015/09/navy-krep-agreements-broken.html>

“Use vegetation to visually screen photovoltaic array, particularly adjacent to National Register WWII Revetment district (to the south) and golf course (to the east). “ **This did not happen.**

#### **Egregious Karst Programmatic Agreement comments responding to Consulting Parties:**

NAVY: “Whereas clauses on Page 2 indicate that some believe there is a presence of a karst geologic formation and that sub-surface conditions may support Native Hawaiian cultural practices. **This clause will not be revised.**” In the actual Programmatic Agreement: “A belief by some Hawaiians that the ‘Ewa Karst system is present throughout the Kalaeloa area...,” “Some Hawaiians believe the ‘Ewa Karst system serves as a repository for Native Hawaiian burial sites, cultural remains, and fresh water,”

ARCHAEOLOGICAL MONITORING PLAN PREPARED FOR: Commander, Navy Region Hawaii, Dec 2012 (Just before construction) ENVIRONMENT: “Kalaeloa is situated in the central-southern portion of the ‘Ewa Plain, an emerged coral reef that forms the leeward lowlands of southwestern O‘ahu. This plain extends from the southern base of the Wai‘anae Mountain Range to West Loch of Pearl Harbor. **The ‘Ewa Plain is underlain by an ancient coral reef, characterized as karst, and covered by thin alluvial deposits. Karst is an area of irregular limestone in which erosion has produced fissures, sinkholes, underground streams, caverns.**”

KREP PA: “The Navy and the KV will be responsible for implementation of the testing plans, the documentation and evaluation, and for reporting findings on a quarterly basis to the SHPO and other Consulting Parties.” **(This never happened or was hidden.)** However, Kanehili Cultural Hui learned through a meeting with the Navy archeologist in December 2012, before construction started, that a subsurface cavern had been detected during test borings. KCH requested to see the boring data but this request was subsequently denied by the Navy.

There has never been any archeological site Protection Plan as was promised in the KREP PA and the very old 2002 Ford Island PA also doesn't provide one. We are asking PACOM to direct the nomination to a just and honorable outcome in behalf of the veterans and American people. The important native Hawaiian cultural sites must be honored and protected as well. It is fully within the CFR process exactly how it can be done. The entire lack of Navy enforcement of the signed PA, the factual misrepresentations in it, and especially the Section 106 meeting process which was loaded with arrogance and consistent broken promises, all indicate the intent by the Navy - NavFacPac to defraud the community.



The local community, veterans groups, school JROTC, other cadet organizations, etc. have repeatedly expressed interest in Ewa battlefield site security, protection and maintenance and have been repeatedly ignored and rebuffed because Hunt Corp and the Navy won't allow it. They intentionally want the area damaged, degraded, and trashed. **This IS their land agenda.**

The major injustice, unfairness and dishonor in this entire Ewa Field history could not be more clear. Totally corporate profits and insider land deal interests at work by Navy NavFac. No public interests, no respect for fallen Marines, local civilians. **It's an evil agenda that US Pacific Command has the responsibility to correct and remedy.** If not we will ask the US Congress and Executive Branch to conduct a full and complete investigation into the motives and profits.

Aloha,



John Bond, President  
Kanehili Hui – Save Ewa Field  
P.O. Box 75578  
Kapolei, Hi. 96707  
[Ewabond@gmail.com](mailto:Ewabond@gmail.com)

**“Americans should never believe, even incorrectly, that one’s criminal activity will go unpunished simply because it was committed on behalf of a corporation.”**

**Justice Department Renews Focus on White-Collar Cases Sept. 9, 2015, WSJ**

**Hunt Corp Destroys Local Historic Landmark - 1943 MCAS Ewa Squadron Wall**

This action happened AFTER it was identified in the 2011 Ewa Battlefield report  
<http://ewafield.blogspot.com/2015/09/hunt-corp-destroys-local-lankmark.html>

**Navy Intentionally Delays Ewa Battlefield Nomination As WW-II Vets Die <http://ewa-battlefield-nomination.blogspot.com/2015/08/navy-delays-ewa-momination.html>**

Navy BRAC documents specifically identify the 1825 Malden Trail as running through MCAS Ewa, south of Roosevelt Avenue and East of Coral Sea Road

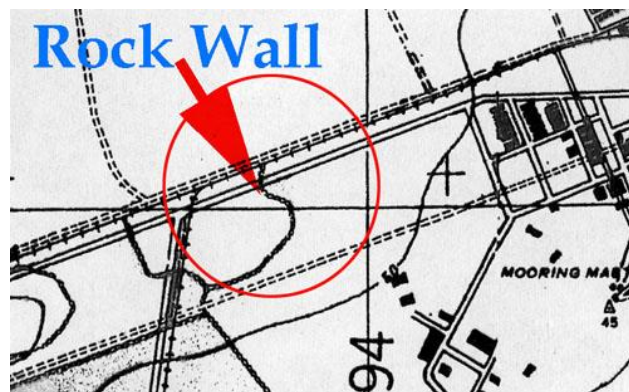
<http://honouliuli.blogspot.com/2014/12/1825-honouliuli-tcp-trails.html>



Honolulu City Council RESOLUTION 12-172, CD1 (2012) passed unanimously:

<http://honouliuli.blogspot.com/2014/12/hart-rail-and-state-of-hawaii-should.html>

BE IT FINALLY RESOLVED that copies of this Resolution be transmitted to the Hawaii Community Development Authority, the Governor, the Department of Hawaiian Homelands, the Office of Hawaiian Affairs, the President of the United States, the Commander of United States Pacific Command, and the Mayor.



Still existing rock wall marks 1825 Malden Trail location at MCAS Ewa Field