

MEMORANDUM OF AGREEMENT

**BETWEEN THE UNITED STATES DEPARTMENT OF THE AIR FORCE
AND THE CALIFORNIA STATE HISTORIC PRESERVATION OFFICER
REGARDING THE CONSTRUCTION OF MILITARY HOUSING AT
WHITE POINT, SAN PEDRO, CITY OF LOS ANGELES, LOS ANGELES COUNTY,
CALIFORNIA, SUBMITTED TO THE ADVISORY COUNCIL ON HISTORIC
PRESERVATION PURSUANT TO 36 C.F.R. § 800.6(a)**

WHEREAS, the United States Department of the Air Force (Air Force), represented by the Space and Missile Systems Center (SMC), Los Angeles Air Force Base (AFB), California, proposes to construct new military housing at White Point, San Pedro, City of Los Angeles, Los Angeles County, California, (Undertaking); and

WHEREAS, the Undertaking includes the demolition of five of seven base end stations, properties that are contributing elements to a potential historic district that includes Batteries Osgood-Farley and Barlow-Saxton, properties individually listed in the National Register of Historic Places (historic property); and

WHEREAS, the Air Force determined the Undertaking will have an effect upon the historic properties and has consulted with the California State Historic Preservation Officer (SHPO) pursuant to 36 C.F.R. Part 800, regulations implementing Section 106 of the National Historic Preservation Act (16 U.S.C. § 470f);

NOW, THEREFORE, the Air Force and the SHPO agree that upon acceptance of this MOA by the Advisory Council on Historic Preservation (Council), and upon the Air Force's decision to implement the Undertaking, the Air Force shall ensure that the following stipulations are executed in order to take into account the effects of the Undertaking on the historic properties.

STIPULATIONS

The Air Force shall ensure that the following stipulations are implemented:

I. HISTORIC AMERICAN BUILDINGS SURVEY (HABS) AND HISTORIC AMERICAN ENGINEERING RECORD (HAER) RECORDATION

1. Prior to the start of any work that may affect the historic properties, the Air Force shall contact the National Park Service (NPS), c/o HABS/HAER, 600 Harrison Street, Suite 600, San Francisco, CA 94107-1372, to determine what kind and what level of recordation is recommended by the NPS for the historic property. To meet the Air Force's construction schedule, and if agreed to by the NPS, the Air Force shall record three of the base end stations and submit the documentation to the NPS prior to completion of

recordation for the remaining four base end stations. Upon NPS acceptance of the completed recordation of the first three sites, demolition of these sites may proceed, and construction activities in the area formerly occupied by the three base end stations may proceed. Demolition of the additional two sites shall not proceed until completion of recordation and acceptance by the NPS. Two base end stations, Battery 241 (Point Ferman) and Battery Merrium (B4), shall be recorded, renovated, secured, and left in situ. Copies of the NPS accepted documentation shall be submitted to the SHPO, the San Pedro Bay Historical Society, and the Fort MacArthur Museum Association.

II. INTERPRETATIVE DISPLAY OF THE HISTORY OF BASE END STATIONS AND BATTERIES AT WHITE POINT

1. The Air Force shall design and install in a prominent public space within the housing area an interpretive marker that describes the history of the batteries and their relationship to the base end stations. This marker shall be designed such that it affords visitors an opportunity to understand and appreciate the military purpose of the historic property and its contribution to the protection of Los Angeles Harbor. The display shall endeavor to use whatever combination of narrative and graphic resources may be most effective in communicating to the literate layperson the nature, purpose and importance of the military mission of the historic property since its inception.
2. A storyboard or interpretative display shall be designed and donated by the Air Force to the Fort Arthur Military Museum. This display shall describe the history of the batteries and their relationship to the base end stations. The display shall be designed such that it affords visitors an opportunity to understand and appreciate the purpose of the historic property and its contribution to the protection of Los Angeles Harbor. The display shall effectively communicate to the literate layperson the nature, purpose and importance of the historic properties since their inception. The interpretive display shall be developed in consultation with the Fort MacArthur Military Museum.
3. Any artifacts uncovered during demolition activities will be donated to the Fort MacArthur Military Museum for curation.

III. UPDATE AND RESUBMIT THE ORIGINAL NOMINATION OF BATTERIES OSGOOD-FARLEY AND BARLOW-SAXTON TO INCLUDE THE BASE END STATIONS

1. The Air Force shall, in consultation with the Fort MacArthur Military Museum and the San Pedro Bay Historical Society, supplement and update the original nomination of Batteries Osgood-Farley and Barlow-Saxton to include the relationship and historical nature of the base end stations to the batteries and the coastal defense of Los Angeles

2. The Air Force shall, in consultation with the Fort MacArthur Military Museum and the San Pedro Bay Historical Society, resubmit the revised nomination to the Keeper of the National Register of Historic Places and the California SHPO for review and comment.

IV. REVIEW AND UPDATE THE CULTURAL RESOURCES INVENTORY FOR LOS ANGELES AFB

1. The Air Force shall, within one year of the date this MOA goes into effect, review and update its cultural resources management plan (CRMP) for Los Angeles AFB, to include the base end stations. The revision will ensure that all historic properties identified are managed in accordance with applicable Air Force standards and guidelines. See, Air Force Instruction 32-7065, "Cultural Resources Management," 13 June 1994, and any amendments or revisions thereto.

2. The revised CRMP shall be submitted to the SHPO for review and comment prior to completion of the final CRMP. The SHPO shall have 30 days to review the document and render comment. Should the SHPO fail to respond within 30 days, the Air Force may assume the SHPO has no comment and the CRMP shall be deemed complete.

3. Demolition of the five base end stations is not conditioned on the completion of the CRMP.

V. REPORTING

The Air Force shall provide written notification to all parties to this MOA of the completion of the construction of the White Point housing project. Within six months thereafter, the Air Force shall submit to the other signatories to this MOA a written MOA compliance status report (CSR). The CSR shall indicate whether the Air Force has met all of its responsibilities under the terms of this MOA and when the required actions were completed. The CSR shall specify when the Air Force intends to complete any actions that have not been completed by the time the CSR is submitted. As any incomplete actions are completed, the Air Force shall submit supplemental CSRs to the other signatories to document completion of such actions.

VI. RESOLVING OBJECTIONS

Should any party object within 30 days to any actions pursuant to this MOA, the Air Force shall consult with the objecting party to resolve the objection. If the Air Force determines that the objection cannot be resolved, the Air Force shall forward all documentation relevant to the dispute to the Council. Within 30 days after receipt of all pertinent document, the Council will either:

1. Provide the Air Force with recommendations, which the Air Force will take into account in reaching a final decision regarding the dispute; or
2. Notify the Air Force that it will comment pursuant to 36 C.F.R. § 800.6(b), and proceed to comment. Any Council comment provided in response to such a request will be taken into account by the Air Force in accordance with 36 C.F.R. § 800.6(c)(2) with reference only to the subject of the dispute; the Air Force responsibility to carry out all actions under this MOA that are not the subjects of the dispute will remain unchanged.

VII. AMENDMENTS

If any of the parties to this MOA believes that the terms of the MOA cannot be carried out, or that the MOA should be amended, that party shall immediately consult with the other parties to develop amendments to the MOA. The process of amending the MOA shall be the same as that used in creating the original MOA. If the parties cannot agree upon an amendment, the disagreement shall be addressed pursuant to Stipulation VI.

VIII. FAILURE TO CARRY OUT THE TERMS OF THE MOA

If the terms of this MOA are not carried out, the Air Force shall immediately notify the other parties to the MOA and shall consult to determine if amendments are necessary. If the terms of this MOA are not carried out, the Air Force shall not take or sanction any adverse effect to the historic property or that would foreclose the Council's consideration of modifications or alternatives to the Undertaking.

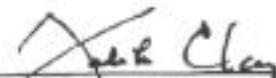
EXECUTION of this MOA by the Air Force and the SHPO, its subsequent acceptance by the Council, and implementation of its terms, shall constitute evidence that the Air Force has afforded the Council an opportunity to comment on the White Point housing project and its effects on historic properties and the Air Force has taken into account the effects of the Undertaking on historic properties.

This MOA shall automatically become null and void if, following its acceptance by the Council, the Air Force decides:

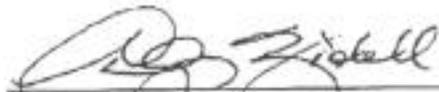
1. Not to proceed with the undertaking; or

2. That any proposed changes to any aspect of the Undertaking warrant reinitiation of the consultation process pursuant to 36 C.F.R. 800, whereupon the Air Force will begin such consultation.

UNITED STATES DEPARTMENT OF THE AIR FORCE

BY:  (date) 20 Jun 97
JOHN L. CLAY, Brigadier General, USAF
Vice Commander, Space and Missile Systems Center

CALIFORNIA STATE HISTORIC PRESERVATION OFFICER

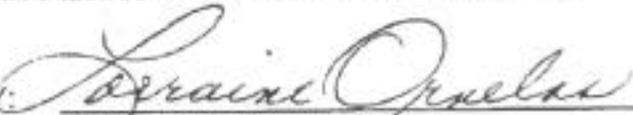
BY:  (date) June 25, 1997
CHERYL E. WIDELL
California State Historic Preservation Officer

CONCUR:

FORT MACARTHUR MUSEUM ASSOCIATION

BY:  (date) June 23, 1997
TOM THOMAS
President, Fort MacArthur Museum Association

SAN PEDRO BAY HISTORICAL SOCIETY

BY:  (date) June 20, 1997
LORRAINE ORNELAS
President, San Pedro Bay Historical Society

ACCEPTED:

ADVISORY COUNCIL ON HISTORIC PRESERVATION

BY: *John M. Fowler*
JOHN M. FOWLER, Executive Director

(date) 7/17/97