

HISTORIC HAWAII FOUNDATION

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TO: Hawai'i Historic Places Review Board
Katie Stephens, Chair

FROM: Kiersten Faulkner, Executive Director
Historic Hawai'i Foundation

Meeting: Friday, November 17, 2023
9:30 a.m.
Kalanimoku Building, Department of Land and Natural Resources
1151 Punchbowl Street, Room #132
Honolulu, Hawai'i

RE: **Agenda Item B. 1**
Proposed Removal of *Falls of Clyde* from Listing in the Hawai'i Register of Historic Places

On behalf of Historic Hawai'i Foundation, I am writing with comments, concerns and recommendations regarding the proposed removal of the historic property *Falls of Clyde* from listing in the Hawai'i Register of Historic Places.

The ship *Falls of Clyde* (FOC) was placed on the Hawai'i Register of Historic Places (HRHP) and the National Register of Historic Places (NRHP) in 1973. It was designated a National Historic Landmark (NHL) in 1989 because of its exceptional national significance as the oldest surviving American tanker and the only surviving sailing oil tanker left afloat in the world. At the time of its listing, the ship was determined to retain integrity of design, materials and workmanship as represented by the hull, rigging, fittings, equipment, machinery, and furnishings.

A recent assessment by a maritime archaeologist has concluded that due to its current condition, FOC has lost the historic integrity that qualified the ship for listing in the Hawai'i and National Registers of Historic Places. The level of damage to the ship has been characterized as irreparable. The Hawai'i Department of Transportation Harbors Division (HDOT) has submitted an application requesting that the ship be removed from the Hawai'i Register of Historic Places.

Hawai'i Administration Rules (HAR) §13-198-10 provides the criteria for considering removal of properties from the Hawai'i Register. Properties may be removed for one of only three reasons:

- (1) When the qualities which caused them originally to be listed have been lost or destroyed; or
- (2) Upon proof that an error in professional judgment has been made; or

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Historic Hawai'i Foundation was established in 1974 to encourage the preservation of historic buildings, sites and communities on all the islands of Hawai'i. As the statewide leader for historic preservation, HHF works to preserve Hawai'i's unique architectural and cultural heritage and believes that historic preservation is an important element in the present and future quality of life, environmental sustainability and economic viability of the state.

- (3) For failure to follow the procedures set forth in these rules.

The application to delist the *Falls of Clyde* is related to condition (1) loss of the qualities which caused it to be listed. The other two conditions (error in professional judgment and failure to follow procedures when listing the property) are not applicable to this situation.

“Qualities” for listing are comprised of several components: age, historic significance and historic integrity.

- *Falls of Clyde* is over 50 years old and retains the quality of age.
- *Falls of Clyde* retains the quality of historic significance in association with (a) events that have made an important contribution to the broad patterns of history and (c) that embody the distinctive characteristics of a type, period or method of construction.

While not listed in the original nominations, *Falls of Clyde* may also possess historic significance in association with (b) lives of persons important in the past; (d) have yielded or is likely to yield, information important for research; or (e) have important value to an ethnic group of the state ... these associations being important to the group’s history and cultural identity.

- *Falls of Clyde* has diminished quality of historic integrity, with damage and loss to the aspects of design, setting, materials, workmanship, feeling and association (the aspect of “location” is generally not applicable to properties whose function includes mobility, such as ships).

Because *Falls of Clyde* has retains the qualities of age and significance, but has diminished or lost the quality of integrity, HHF recommends several additional actions prior to moving forward with the decision on whether or not the property should be removed from the Hawai‘i Register.

Historic Designations and Loss of Integrity

Falls of Clyde has five separate and distinct layers of historic recognition:

- **“Historic Property”** as a property which is over fifty years old (HRS §6E-2);
- **“Significant Historic Property”** as a property that meets the criteria of the Hawai‘i Register of Historic Places or the criteria enumerated in HAR §13-275-6(b) or §13-284-6(b); namely, that the property:
 - possesses historic integrity of location, design, setting, materials, workmanship, feeling and association, and
 - possesses historic significance in one of more criteria of association with (a) events that have made an important contribution to the broad patterns of history; (b) association with lives of persons important in the past; (c) embody the distinctive characteristics of a type, period or method of construction, represent the work of a master, or possess high artistic value; (d) have yielded or is likely to yield, information important for research on prehistory or history; or (e) have important value to the native Hawaiian people or to another ethnic group of the state due to associations with cultural practices once carried out, or still carried out, at the property or due to associations with

traditional beliefs, events or oral accounts—these associations being important to the group’s history and cultural identity.

- **Hawai‘i Register of Historic Places** listing (State Inventory of Historic Places Number 50-80-14-09700) on 7/2/1973 for association with historic events (HRHP Criterion a) and embodies the distinctive characteristics of a type, period or method of construction (HRHP Criterion c).
- **National Register of Historic Places** listing (Reference Number 73000659) on 7/2/1973 for association with historic events (NRHP Criterion A) and embodies the distinctive characteristics of a type, period or method of construction (NRHP Criterion C).
- **National Historic Landmark** listing in 1989 in accordance with NHL Criterion 1 (Properties that are associated with events that have made a significant contribution to, and are identified with, or that outstandingly represent, the broad national patterns of United States history and from which an understanding and appreciation of those patterns may be gained) and Criterion 4 (Properties that embody the distinguishing characteristics of an architectural type specimen exceptionally valuable for a study of a period, style, or method of construction, or that represent a significant, distinctive and exceptional entity whose components may lack individual distinction).

HDOT’s application to remove the FOC from the Hawai‘i Register of Historic Places rests on an evaluation of the ship’s integrity (Delgado, James. P., “The Four-Masted Iron Ship *Falls of Clyde*: Evaluation of Loss of Integrity and Recommendation for Delisting from the National Register of Historic Places”, SEARCH, Inc., May 10, 2023).

The report found that “the vessel has already lost most of the qualities, as aspects of integrity that convey its significance...the property has ceased to meet the criteria for listing in the National Register because the qualities which caused it to be originally listed have been lost or destroyed.”

HHF agrees that the condition is in extremely poor and reflects a loss of integrity related to materials, design, workmanship, feeling and association. The report found that, “The vessel is now, in 2023, a partially flooded hulk, with the topmasts, topgallant masts, yards, booms and gaffs stowed in a deteriorated condition on the weather deck.” The report found that there are holes both above and below the waterline, loss of structural integrity for the decks and overall deterioration of materials.

The application for delisting the ship is based on physical condition as it relates to historic integrity and the structure’s ability to convey its historic significance as described in the nominations to the State, National and NHL registers. That is, features related its association with historic events (HRHP Criterion a/NRHP Criterion A/NHL Criterion 1) and distinctive characteristics of a type, period or method of construction (HRHP Criterion c/NRHP Criterion C/NHL Criterion 4).

If the Hawai‘i Historic Places Review Board concurs with HDOT’s finding and subsequently takes action to remove the ship from the state register of historic places, only one of its five designations would be affected. Removing the listing from the Hawai‘i Register would have no effect on the national designations, which are governed by the U.S.

Department of the Interior. FOC would still be listed on the National Register and as a National Historic Landmark.

It will also still be over 50 years old as a “historic property” under HRS §6E-2 . Whether or not the ship would still be considered a “significant historic property” in accordance with HAR §13-275-6 would need to be determined, not only for HRHP Criteria a and c, but also for b (historic person), d (information potential) and e (cultural associations).

HHF recommends that the evaluation of eligibility for the Hawai‘i and National Registers of Historic Places assess the vessel’s ability to convey its historic significance related to potential to yield information important for research (HRHP Criterion d/NRHP Criterion D) and association with an ethnic group of the state and the associations being important to the group’s history and cultural identity (HRHP Criterion e) for association with those of Scottish descent (see The Caledonian Society of Hawai‘i).

Mitigation Commitments

In August 2023 HDOT provided a public notice of Draft Environmental Assessment Pre-Assessment Consultation to identify relevant issues and concerns to be addressed in the environmental assessment for the proposed removal of the ship *Falls of Clyde*.

The pre-assessment notification stated that the environmental review “will discuss removal and disposal alternatives being considered, which may include scuttling the vessel offshore, dismantling at a drydock, as well as other options. The EA will include a detailed history of the FOC (including its time in Hawai‘i), a current assessment of its physical condition, an analysis of its status as a historic property and landmark, a description of alternatives to the Proposed Action, the pros and cons of the alternatives, and impacts of the alternatives.”

HHF submitted written comments to HDOT on September 22, 2023 (with copies to the HHPRB and SHPD) recommending that **prior to** removing FOC from the Hawai‘i register of historic places, HDOT should develop mitigation commitments that are memorialized in the form of a legally binding agreement.

HHF recommends that a signed and executed agreement be presented to the Hawai‘i Historic Places Review Board as part of HDOT’s application to remove the ship from the Hawai‘i Register of Historic Places and the vessel should not be delisted absent such a written and binding commitment.

The mitigation measures need to be proportionate to the effect, have a benefit for impacted parties and have a benefit for the larger public. The goal is to develop measures relevant to the affected historic property to understand, protect and celebrate its unique history, and to preserve the unique characteristics and significance for the current users and future generations.

Such mitigation measures should be developed through consultation and discussion with stakeholders, including the Friends of Falls of Clyde, the Hawai‘i State Historic Preservation Division, the National Park Service/National

Historic Landmarks Program, National Trust for Historic Preservation, Historic Hawai'i Foundation, and maritime heritage groups.

As a starting point for the consultation around mitigation measures, HHF recommends that the following be included:

- Provide an inventory and database of features removed from the vessel, by type and description of the feature, date removed and by whom, current location and ownership, and potential for disposition and treatment. Over the past decade, many of the pieces of the ship were removed, either to lighten the weight to help it stay afloat or to salvage elements prior to it being moved to drydock or scuttled. Where are those elements? Who owns them? Is there an inventory and record of their disposition? Can they be incorporated into a display or used for historic interpretation?
- Develop a historic context study about 19th century sailing vessels and 20th century maritime preservation efforts related to Hawai'i and how *Falls of Clyde* fits into that context. Are there other examples or important maritime resources that should be identified and preserved as this one is lost?
- Documentation of the vessel via Historic American Engineering Record (HAER), which was begun in 1996 but not completed (see HAER No. HI-7).
- Additional documentation of the vessel via contemporary methods such as digital scanning, LIDAR, video documentation of the deconstruction, or other data recovery methods.
- HDOT should develop a Honolulu Harbor Historic Interpretation Plan and that includes public information along the waterfront, such as wayside signage, public art incorporating salvaged elements from the ship, a 3D model, waterfront walking tour or public-visitation area. The historic interpretation should incorporate both *Falls of Clyde* and other periods of Honolulu's maritime heritage from pre-contact Polynesian voyaging through modern uses.

Thank you for the opportunity to comment.