



DEPARTMENT OF THE NAVY

JOINT REGION MARIANAS

PSC 455, BOX 211

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JTREGMARIANASINST 5090.5

J4

29 Jun 15

JTREGMARIANAS INSTRUCTION 5090.5

From: Commander, Joint Region Marianas

Subj: JOINT REGION MARIANAS PUBLIC ACCESS PLAN FOR HISTORIC AND CULTURAL SITES

Encl: (1) Definitions
(2) Site Description of Historic Properties on Guam
(3) 2011 Programmatic Agreement (PA) among the Department of Defense, the Advisory Council on Historic Preservation, the Guam State Historic Preservation Office, and the Commonwealth of the Northern Mariana Islands State Historic Preservation Officer regarding the Military Relocation to the Islands of Guam and Tinian
(4) Request for Access Form
(5) Foreign National Access Request Form
(6) Waiver and Release of Liability & Emergency Contact Information Form
(7) Listed and Proposed Plant Species

Ref: (a) SECNAV Manual 5201.1

1. Purpose. To promulgate Region instruction for allowing public access to historic and cultural sites located on Joint Region Marianas (JRM) installations.

2. Background. This directive governs the safe and appropriate access to historic and cultural sites on lands controlled by the Commander, Joint Region Marianas (CJRM). This directive includes information on public interest, public safety concerns and protocols, installation security, emergency situations, standard operating procedures, and contact information for the Access Plan Coordinator (APC). In summary, the properties addressed by this instruction are Naval Base Guam (NBG) to include Naval Munitions Site (NMS) and Naval Computer and Telecommunications Station (NCTS), Andersen Air Force Base (AAFB), and Department of Defense (DoD)-leased properties on Tinian.

3. Policy. This instruction enables specified and controlled public access to historic and cultural sites located at JRM installations on Guam and Tinian. Enclosure (1) contains the definition of terms used throughout this instruction. This instruction does not apply to processing public access requests for large events, such as those managed by Public Affairs Offices for Liberation Day, All Saints Day, etc.

a. Protection of Historic Properties. It is a Federal crime to remove artifacts from sites on DoD-controlled lands. Intentional disturbance of historic or cultural sites or removal of artifacts will be prosecuted under Federal law. Observed loss of site integrity or environmental degradation will result in restrictions on the frequency of permitted visits or removal of the sites from public access.

b. Regular Access Hours:

(1) Guam. JRM has established regular access hours from 0800-1700, Monday through Sunday for visits to historic properties and cultural sites. All installations will make every effort to accommodate requested dates and times consistent with operational requirements, safety and national security, applicable DoD policies, laws and regulations. The APC will monitor pertinent installation operations, and will notify requestors via email and phone call immediately if last minute unforeseen military activities necessitate cancellation. In the event of a cancellation, efforts will be made to accommodate at the earliest date possible. Enclosure (2) provides the site description of the historic properties on Guam.

(2) Tinian. Access to historic properties on Tinian is generally open to the public and unescorted. In the event that military operations are ongoing, visits to historic properties will not be available in certain locations until operations have ceased. Visitors to Tinian can contact the APC for additional information on access or potential restrictions.

4. Responsibilities

a. Commander, Joint Region Marianas shall:

(1) Exercise command authority to ensure that all appropriate and necessary resources are available to subordinate commands to implement this instruction.

(2) Provide appropriate direction to all relevant J-codes to ensure alignment of routine JRM activities supporting the implementation of this instruction.

(3) Review this Access Plan for possible amendment with the parties on an annual basis or more frequently if a request is made. Request must be submitted in writing to the APC. This plan is subject to change to ensure consistency with DoD mission, security, and safety requirements.

b. Regional Director of Operations (JRM J3) shall:

(1) Provide direction and/or oversight of region and installation security activities to ensure that public access requests are processed in accordance with this instruction.

(2) Direct the provision of relevant and timely Region-centric training information to JRM J4 or designee regarding unclassified activities that may restrict the ability of the public to visit sites listed in enclosure (2).

c. Regional Engineer (JRM J4, and CO, NAVFAC Marianas) shall:

(1) Direct and oversee the APC, and facilitate training for DoD-employed escorts.

(2) Induct recommended changes by internal and external stakeholders (with appropriate justification) for consideration by the Facilities Board in accordance with JRM's governance process.

d. Base Commanders shall:

(1) Ensure public access requests are processed by installation security personnel in a timely manner in accordance with this instruction.

(2) Make final decisions to approve or disapprove public access requests for their respective installation.

(3) Direct the provision of relevant and timely installation-centric information to JRM J4 or designee regarding unclassified activities that may restrict the ability of the public to visit sites listed in enclosure (2).

(4) Review this instruction on an annual basis and recommend appropriate changes to the APC, as necessary.

e. Access Plan Coordinator (APC) shall:

(1) Manage the public access program in accordance with the specific procedures and processes in this instruction and seek approval from the Base Commander or designee for all access requests.

(2) Review recommended changes to the Plan or instruction, and coordinate for consideration by the Facilities Board in accordance with JRM's governance process. Consolidate approved changes, recommend updates to the plan and instruction to CJRM and recommend updates to the Plan and this instruction no more than once a year, to align with the access plan modification process stipulated in enclosure (3).

(3) Facilitate the publication of the public access plan, as necessary, through public release on the internet and other appropriate media in coordination with the JRM Public Affairs Officer (PAO).

(4) Provide natural/cultural resource monitoring efforts, in coordination with assigned NAVFAC Marianas subject matter experts, to document any visual evidence of site degradation resulting from public visitation.

(5) Serve as the primary DoD Escort for visitation to historic and cultural sites. Directly provide or facilitate required training for all DoD Escorts, and shall maintain records of training accomplishment for currency on an annual or as-needed basis.

(6) Refer access requests by large groups and media organizations to the JRM PAO.

f. Each DoD Escort shall:

(1) Lead site visits or hikes for no more than seven visitors at one time to designated historical properties and shall coordinate all activities with the APC.

(2) Promote visitor safety and provide basic site information.

(3) Obtain all initial and recurring training as required by the APC regarding safety and security policies, as well as site information briefings.

5. Procedures for Requesting Access

a. Access Request Process

(1) U.S. citizens requesting access must submit a completed JRM Request for Access Form, enclosure (4), to the APC at least ten business days (excluding weekends and federal holidays) in advance of the requested visit date. The APC and installations will make every effort to meet the ten day processing time; however, upon review of the application the requestor may be notified if the information provided necessitates a longer processing time. Requestors must notify the APC of any special medical conditions (e.g. allergies to bees/wasps, etc.) of participants in the event an emergency occurs.

(2) Foreign visitors must submit a completed JRM Request for Access Form, enclosure (4), and the Foreign National Access Request Form, enclosure (5), and provide a valid passport (in color copy format) to the APC at least 30 business days (excluding weekends and federal holidays) in advance of the requested visit date. Foreign visitors must present the required documents for physical examination upon arrival at the Visitor Control Center at the time of the scheduled visit.

(3) Written requests may be submitted via electronic mail to M-GU-NAVFAC-APC-GS@FE.NAVY.MIL or hand-delivered to the APC at Building 4175 A-Wing 1st Floor, NBG Santa Rita Annex (Former McCool Elementary/Middle School). The APC shall promulgate a dedicated telephone and fax number to the public.

(4) The APC will coordinate the access process with appropriate installation personnel. The Base Commander will make the final determination regarding whether the access requested is consistent with operational requirements, safety, and national security and complies with applicable DoD policies, laws and regulations. Approval of access requests is also dependent on the availability of approved DoD-employed escorts. Final access request approval or disapproval will then be forwarded by the APC in writing to the requestor prior to the requested visit date. The requestor will confirm the visit at this time and will submit the following additional information via email to the APC:

(a) Completed Waiver and Release of Liability & Emergency Contact Information Form, enclosure (6), that relieves the United States of any legal responsibility for injuries or damages which might result from participation.

(b) Driver's license, registration and insurance information for privately owned vehicle(s) (POV), or rental car agreement.

(5) Requests for changes, name replacements, or additions may be submitted up to seven business days prior to arrival; however, additional review requirements may delay approval.

(6) In consideration of security and visitor safety, the total number of participants that will be allowed access at any one time for the purposes of historic site visits or traditional medicinal plant collection will be no more than seven per DoD-employed escort. The APC will assign escorts for the visit as needed. Group size may be limited based on the availability of escorts. Carpool is limited to no more than two vehicles per group of seven.

(7) Access to Restricted Areas. Some historic properties on JRM are subject to safety and security requirements when DoD personnel are conducting operations involving munitions at live-fire ranges, storage facilities or handling facilities. DoD safety requirements prohibit non-essential personnel from being inside designated safety zones.

(8) Access to sites occurring within restricted areas may require additional escort protocols to ensure safety and security. The APC will coordinate these necessary access measures. A safety briefing will be conducted for the participants or group before accessing Explosive Safety areas.

b. Arrival Process

(1) Upon arrival at the main gate of the respective JRM installation, all visitors 16 years of age and older will be required to provide at least one form of picture identification (Driver's License, Guam ID, Passport or School ID). Minors age 12 and under must be accompanied by a parent or guardian.

(2) For group hikes, the group will meet outside of the main gate of the installation and will carpool to the site

trailhead. Operators of POVs shall have current driver's license, registration and insurance. A max of two vehicles per group of seven is allowed. Vehicle travel must be accompanied by the DoD-employed escort and will follow the most direct routes to the approved site and back to the main gate, without deviation. However, upon exigent request by visitors, DoD-employed escorts may accompany a visitor or groups to the nearest publicly-accessible restroom for use.

(3) All participants will be issued a one day pass at the time of arrival at the entry gate. Drivers will be issued a vehicle pass that must be visible through the window of the vehicle and must be destroyed upon termination of the visit.

(4) All visitors to the installations must adhere to Guam traffic code and NBG/AAFB posted speed limits. Seatbelts will be worn at all times and vehicle operators must ensure proper registration, insurance, and licensing prior to operating a vehicle on the installation.

6. Types of Visits and Activities

a. Hiking - General Guidelines

(1) Hiking to the historic properties listed in enclosure (2) generally involves walking over rough limestone terrain and in some cases extreme heat and humidity. Hikers will be required to bring their own food, water and trash bags to carry out any trash generated during the visit.

(2) Historic hiking properties vary in distance and level of difficulty, it is important that the requestor and all participants understand the level of difficulty prior to submitting the request. Every participant will be required to provide emergency contact information in their completed and signed Waiver and Release of Liability Form, in accordance with enclosure (6).

(3) Participants under the age of 18 shall have the waiver of liability signed by a parent and/or legal guardian.

(4) For visitor safety, covered (closed toed) hiking footwear is required, and it is recommended that participants wear comfortable clothing appropriate for the climate.

(5) To ensure safety, participants will be required to stay on designated trails to prevent damage to natural and

cultural resources. Any damage to a historic site as a direct result of the visit may result in federal criminal or civil action and restrictions on further visits.

b. Harvesting/Collecting Plants for Medicinal Purposes

(1) Suruhanu (Male) and Suruhana (Female) are individuals who practice traditional healing methods and may request access to collect medicinal plants provided the plants are not federally or Guam-listed as threatened, endangered or species of concern listed in enclosure (7).

(2) Prior to individuals harvesting/collecting plants for medicinal purposes, the APC shall secure concurrence from the respective Installation Natural Resources Conservation Program personnel in order to conduct such activities. These requests will be addressed on a case by case basis.

(3) Reasonable efforts will be made to accommodate access outside of established access hours and processing times for cultural purposes, such as optimal times for medicinal plant collection. Requests outside of established access hours and processing times will be considered in light of operational requirements, safety and security.

c. Limitation on Activities

(1) The CJRM does not intend to limit any reasonable cultural activities; however, no illegal activities or activities that endanger life, the environment, or property will be permitted. The following activities are prohibited:

(a) Smoking outside of designated smoking areas indicated by signage;

(b) Use or possession of alcohol or other illicit drugs;

(c) Fires;

(d) Use or possession of firearms/explosives;

(e) Activities that cause damage or modification to natural or historic/cultural resources (i.e. unlawful destruction or removal of vegetation, rocks, soils, coral, animals, artifacts) outside of approved plant harvesting;

(f) Political activities, demonstrations, or protest activities of any kind;

(g) Photography during transit through any installation as well as photography of the AAFB Flight line and of any restricted area (photography is only permitted along hiking trails and at historic properties);

(h) Digging or excavation, unless limited ground disturbance is specifically approved by the Base Commander for medicinal plant collection; and

(i) Hunting, Fishing and Coconut Crab collecting.

7. Other Pertinent information

a. Off Limits Areas. All areas of the base not essential to the main purpose of the visit are off limits. All participants must comply with the guidelines described herein or specified in safety briefings. Failure to do so could result in removal, denial of base access in the future, and criminal charges. The Base Commander reserves the right to take any appropriate action, up to and including immediate removal and future access request denial of any participant from JRM-controlled lands when they have acted in a manner disruptive to installation activities. Disruptive behavior includes, but is not limited to, acts that endanger themselves or others, failure to abide by guidance from the escorts, or willful entry into unauthorized areas.

b. Hazards and Risks. Visits to cultural and historic properties may expose participants to a variety of hazards and risks, both foreseen and unforeseen, which are inherent to the visits themselves. These inherent risks include, but are not limited to, the dangers of serious personal injury, property damage, and death from exposure to the hazards of travel. Participants assume the risk of any such injury and/or damages and must exercise due care for their personal safety and that of others in their care. Visitors will be required to provide emergency contact information and sign a Waiver and Release of Liability Form in enclosure (6) that relieves the United States of any legal responsibility for injuries or damages which might result from participation.

c. Emergency Situations

(1) There will always be a likelihood that visitation will be suspended due to natural or man-made emergencies, as well as operational considerations. The public should expect suspension of visits in the event of tsunami warnings, inclement weather conditions, fires, emergencies or other operational contingency. In addition, heightened security conditions could require suspension of visits to portions or all of the property until further notice.

(2) For safety concern and in response to emergency situations, requestors are required to have a cell phone on their person, and a minimum of two cell phones per group.

(3) Visitors and Escorts will be advised to call 911 in the event of an emergency. Visitors and escorts should be advised that when dialing 911, the caller must inform the off-base dispatcher their location within the respective installation within JRM. The off-base 911 dispatcher will then forward the emergency call to the appropriate base security force. Visitors and escorts may be charged for medical services rendered by first responders.

8. Forms Management. Enclosures (4) through (6) may be obtained from the JRM Administrative Department or from the Marianas main webpage of the Commander, Navy Installations Command (CNIC) Gateway 2.0 (G2) Public Access Plan at: <https://g2.cnic.navy.mil/JRM/pages/default.aspx>.

9. Records Management. Records created as a result of this instruction, regardless of media and format, shall be managed in accordance with reference (a).



B. BOLIVAR

Distribution:
JTREGMARIANASINST 5200.2B
Electronic only, via the CNIC G2 Portal at
<https://g2.cnic.navy.mil/JRM/pages/default.aspx>
List I

29 Jun 15

DEFINITIONS

1. Access Plan Coordinator (APC). The single point of contact (POC) designated by CJRM for public requests for access to historic properties on JRM.
2. Artifacts. Portable items that have been manufactured or modified by people. Examples include pottery, food remains such as bones and shells, shell, stone, and bone tools such as adz blades, fish hooks, or ornaments, sling stones, and portions of these items or fragments of material deposited as by-products of their production.
3. Cultural Resources. Include archaeological resources, cultural landscapes, structures, museum objects, and ethnographic resources. This is a broad range of tangible and intangible resources that includes song, dance, language, drama, etc., as well as elements of the physical environment. Historic Properties are a subset of cultural resources.
4. Escort. A DoD ID card holder who is 18 years of age and older and approved to lead site visits or hikes of designated historical properties on a volunteer basis.
5. Historic properties. For the purposes of this Access Plan to include properties listed on or eligible for listing on the National Register of Historic Places, as well as certain other properties with some level of historic and/or cultural interest and significance as recommended by the Guam State Historic Preservation Officer (SHPO) and/or other interested parties during the Access Plan public involvement process. In order to be considered for listing in the Guam or National Registers of Historic Places, properties must meet one or more of the published criteria of eligibility. Properties may be nominated for listing in the National Register: (a) that are associated with events that have made a significant contribution to the broad patterns of our history; or (b) that are associated with the lives of persons significant in our past; or (c) that embody distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or (d) that have yielded, or may be likely to yield, information important in prehistory or history.

6. Natural Resources of Cultural Importance. Certain flora (plants or plant parts) that are culturally important to traditional natural healers, herbal practitioners and healers, and traditional artisans.

7. Parties. Individual signatories of the 2011 Programmatic Agreement for the military relocation to Guam and the Commonwealth of the Northern Mariana Islands.

8. Requestor. The individual (or POC) submitting an individual or group access request form.

9. Access Tiers. All cultural and historic properties have been placed in tiers based on location, escort requirements, operational and additional security requirements. The site tiers are defined below.

a. Tier 1. Properties are physically located outside of an installation(s) perimeter fence. These properties are open to the public and do not require an escort or an access request form.

b. Tier 2. Properties are physically located inside of installation(s) perimeter fence. These properties require an approved escort and a background check on all visitors 18 years of age and older.

c. Tier 3. Properties are physically located inside of installation(s) perimeter, and within or adjacent to a restricted area. These properties require an approved escort and background check on all visitors 18 years of age and older. Access to tier 3 properties is extremely limited due to operational requirements. Additional training for escorts will be required when accessing tier 3 properties.

SITE DESCRIPTIONS OF HISTORIC PROPERTIES ON GUAM

Historic properties and other locations of cultural interest have been placed in tiers based on the operational and security requirements of their respective locations. The tiers are defined in Section 8 of the CJRM Public Access Plan. For more information on these properties, please contact the Access Plan Coordinator.

Most of the historic properties available for visitation have been provided with official Guam Historic Properties Inventory (GHIP) numbers. Properties that have been deemed eligible for listing on National Registers of Historic Places (NRHP) may be considered for nomination. NRHP-listed properties are indicated by **. Properties listed in the Guam Register are indicated by *. Contact Guam SHPO for more information about the Guam Register.

When visiting archaeological sites, visitors will encounter artifacts and features. Artifacts are portable items that have been manufactured or modified by people. Examples include pottery, food remains such as bones and shells, shell, stone, and bone tools such as adz blades, fish hooks, or ornaments, sling stones, and portions of these items or fragments of material deposited as by-products of their production. In addition to the artistic and interpretive value provided by these items, the context in which they are found is important. When archaeologists investigate a site, they document the distribution of material on the surface; therefore, when visiting sites, avoid disturbing surface artifacts. If you must touch something, leave it where you found it.

Features are also created by people; however, features cannot be readily moved without destroying them. Features such as latte sets or historic foundations may be visible on the surface but other features, such as trash pits, earth ovens, or burials are buried in the ground. Features cannot be moved without destroying them and removing them from their context. In-ground features have the potential to contain material that provides carbon dates and other important information about subsistence and past environmental conditions.

All of Guam's historic resources are protected by law. Historic resources within DoD properties are further protected by other Federal laws. It is illegal to remove artifacts from sites, or to damage or deface historic properties. Violation of laws protecting historic resources may result in restrictions on future visits, fines, and imprisonment.

Hikers should evaluate their physical condition and the environment before starting any hike. Trails can become slippery when it is wet and some trails have sharp rocks or unstable footing; slips and falls are possible. Choose appropriate clothing and footwear for conditions; some hikers carry a staff. Also consider heat stress; carry enough water and consider applying sunscreen.

TIER 1

Tier 1 sites are not guided and do not require coordination with the Access Plan Coordinator. You are responsible for planning the visit and ensuring your safety. Regarding submerged sites: as with any underwater adventure, visitors to submerged sites are responsible for obtaining information about the site and environmental conditions in planning a dive. Divers should carefully evaluate their abilities and training before diving. Safety is your responsibility. This plan does not provide for access to dive sites through the installation. Divers can get additional information about the underwater sites, including maps and environmental conditions, etc. from local dive shops.

Mt. Lamlam and Jumullong Manglo (Humuyong Manglo')

Rising 1,334 feet above sea level, Mount Lamlam is Guam's highest point. Measured from its base at the bottom of the Mariana Trench, Mount Lamlam is also the tallest mountain in the world according to the US Geological Survey. Hikers usually follow the trail that leads to Jumullong Manglo, where they are rewarded with panoramic views of Guam's hilly interior stretching out toward the north and a panoramic view of the southern coastline. Mount Jumullong Manglo is significant in religious celebrations. Mount Lamlam, one of four National Natural Landmarks found on Guam, can be reached by following a trail that splits off the Mt. Jumullong Manglo trail near the crest. It requires about 45 minutes to an hour to reach either peak.

Hikers should evaluate their abilities and fitness level before beginning this or any of the hikes featured in the Access Plan. There are moderately steep sections of the trail, also sections that become slippery when wet. The potential for slips and falls is present. Conditions can range from very hot to pouring rain, and can change rapidly. Suitable clothing and footwear should be worn. Sunburn can occur quickly at this latitude, particularly near mid-day. Hikers may want to wear sunscreen and head cover of some type. Hikers should carry sufficient water to maintain hydration. Some hikers choose to carry a hiking staff on this hike. **Level of Difficulty: Very Difficult**

NAVY SUBMERGED LANDS (Apra Harbor Dive Sites)***SMS Cormoran (GHPI 66-03-1037)*****

Ryasan, a Russian commercial vessel captured by Germany, was converted to an armed merchant raider and renamed the SMS Cormoran. On December 14, 1914 the Cormoran pulled into Apra Harbor and requested fuel. Guam's Military Governor refused to supply the Cormoran with more than a token amount of coal, hence, she was forced into internment on Guam. On April 7, 1917, at the entry of the United States into WWI, her captain ordered Cormoran to be scuttled in Apra Harbor. The hull of the Cormoran is intact, the engine room is easily accessible through the skylights, and most of the superstructure is relatively intact. Visibility averages 35-40', but can vary due to the weather, tide, and large ship traffic in the harbor. **Level of Difficulty: Depends on depth and conditions - may require advanced dive skills due to depth.**

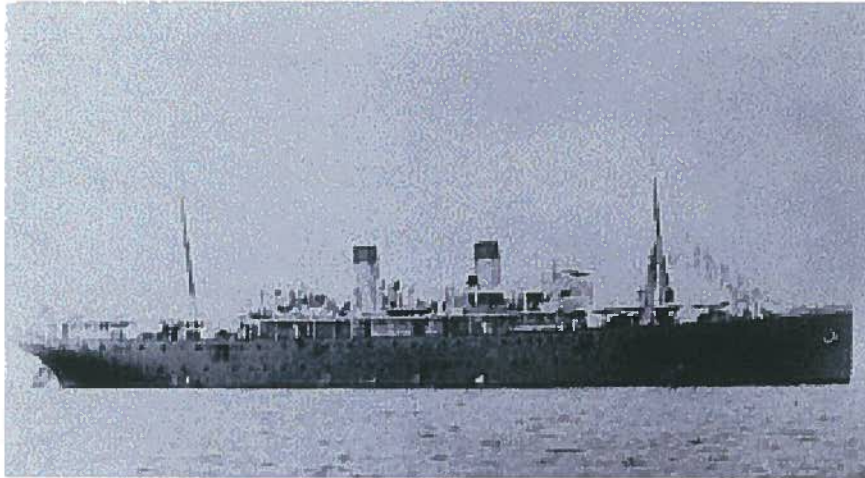


Image from: http://en.wikipedia.org/wiki/Scuttling_of_SMS_Cormoran

Topawa – YTM 419 (Tug)

Topawa (YTB-419) was a tug used by the U.S. Navy between 1945 and 1975.

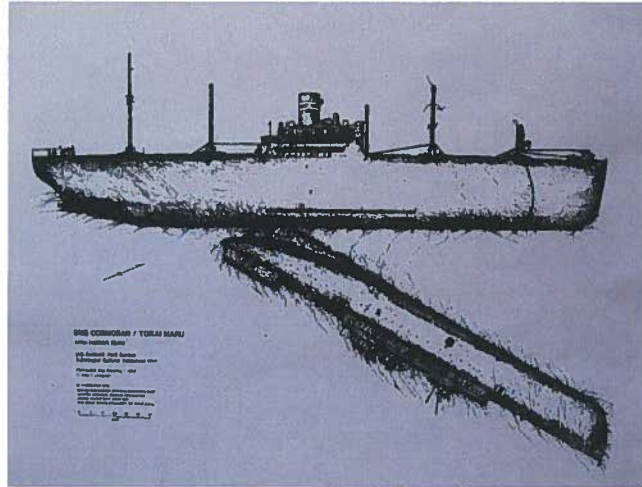
Topawa is 100' in length with a beam of 25'. She lies off the SW tip of Dry Dock Island.



Sister Ship Tenwa, date and location unknown (Navy Source.org/archives/14/09419.htm)

Tokai Maru (GHPI 66-03-1089)**

Tokai Maru was placed into service in August 1930 as a fast luxury freighter traveling from Tokyo to New York. In 1941, she was re-commissioned as a freighter under contract to the Japanese Imperial Navy and was used to transport war materials and personnel throughout the Pacific. On August 27, 1943, USS *Snapper* fired three torpedoes at the *Tokai Maru* and sank her in Apra Harbor just six feet from the *Cormoran*. She rests in 120 feet with an 85 degree list to port (left). The shallowest part of the ship is the upper forward bridge area at a depth of 40 feet. Visibility averages 35-40', but can vary due to the tide and large ship traffic in the harbor. **Level of Difficulty: Depends on depth and conditions - may require advanced dive skills due to depth**



Tokai Maru and Cormoran, National Park Service Sketch

Kitsugawa Maru (GHPI 66-05-1154)*

Kitsugawa Maru was used during World War II as a transport by the Imperial Japanese Navy. It presently lies at the bottom of Apra Harbor. Kitsugawa Maru lies west of the Cormoran and Tokai Maru. Torpedoed by the submarine USS Seahorse, she was towed into the harbor for repairs. While at anchor, the ship was attacked by bombs and rocket fire from raiding US aircraft. She sank when her engine room exploded, tearing the ship in two and sending her into the depths where she sits upright on her keel at an average depth of 140 feet. **Level of Difficulty: Depends on depth and conditions - may require advanced dive skills due to depth**

Aichi D3A2 "VAL" Carrier Based Dive Bomber (Plane)

This Japanese warplane rests on a reef that slopes from 30 feet to the bottom of the Apra Harbor at 110 feet. The shallowest part of the plane fuselage is at approximately 60 ft. The plane lies upside down with its engine in 95 feet of water. Only one wing is still attached. The other wing lies approximately 20 yards to the east from the body of the plane. D3A dive bombers are credited with destroying more Allied shipping than any other aircraft. The visibility at the site varies from 35-60 feet. **Level of Difficulty: Depends on depth and conditions - may require advanced dive skills due to depth**

E13A "Jake" & A6M2-N "Rufe" (Sea Planes)

Also known as the Type 0 Reconnaissance Seaplane, "Jake" was the replacement for the E7K "Alf" and was the most numerous float plane produced by the Japanese. Though lightly armed and unarmored, its long endurance suited its role as a patrol reconnaissance and transport aircraft. "Jake" went into production in December 1940 and made its combat debut in late 1941 over the Canton-Hankow Railway in China. Jakes scouted for the Pearl Harbor Attack Force.

"Rufe" was the seaplane version of the famous Zero. The large float and wing pontoons degraded performance about 20%, enough that the "Rufe" was not a match for even the

first generation of Allied fighters, such as the P-40 and the Wildcat. The design originated in 1940 in response to a specification for a high-performance single-seat fighter seaplane for use in amphibious assaults and on islands too small for airfields.

Level of Difficulty: Depends on depth and conditions - may require advanced dive skills due to depth

NIMITZ HILL

Access Trail to Fonte Dam (GHPI 66-01-2655)

The old Fonte Dam is located in the Fonte River valley just south of the Joint Region Marianas Headquarters building. The unique spillway is constructed of red bricks imported to Guam. The dam was constructed in 1910 under President Taft to supply water to Hagatna, as noted by the marker on the face of the dam. While the trail begins on DoD land, Fonte dam is located on Government of Guam property. Guam SHPO nominated the dam for listing on National Register. The property was listed in February of 2014. **Level of Difficulty: Moderate**

Access road to Korean Airlines Memorial Site

KAL Flight 801 departed from Seoul-Kimpo International Airport (now Gimpo Airport) on August 5 on its way to Guam. The flight experienced some turbulence in its early stages but was otherwise uneventful. As the crew was preparing for landing, heavy rain over Guam drastically reduced visibility. The aircraft crashed into Nimitz Hill about 3 miles (5km) short of the runway at an altitude of 660 feet (201 m) at 1:42 a.m. on August 6th, 1997. Of the 254 passengers and crew (two pilots, a flight engineer, 14 flight attendants, and 237 passengers), there were only 26 survivors. The KAL memorial is not located on DoD property. **Level of Difficulty: Moderate**

TIER 2

NAVAL BASE GUAM

Sumay Village (GHPI 66-03-1038, recommended eligible for listing in the NRHP)

Prior to World War II, Sumay village occupied the area on either side of the road leading to Orote Point. Sumay evolved from a small fishing village to a replenishing stop for ships, including whalers, in the mid-1800's. By the 1930's, it was an economically advantaged village due to its proximity to the Trans-Pacific Cable Station, Marine Corps Aviation Squadron, the Marine Corps barracks, and the Pan American seaplane landing site. By 1941, Sumay's upscale population numbered 2,000, with designs on the village becoming the island's capital city.

The 1941 Japanese invasion damaged Sumay and forced the residents out of the village. In 1944, the American pre-liberation bombardment destroyed Sumay and other west coast villages. The village area was located on the strategic Apra Harbor and near the Orote Airfield, both of which were needed by the United States in the on-going Pacific Campaign, so the Sumay ruins were removed and the village area was absorbed into the new Navy Operating Base. In 1974 the Sumay Cemetery was listed in the Guam Register

of Sumay Places. In 1997, the village area was recommended eligible for listing in the National Register as a Historic District. **Level of Difficulty: Easy (roadside)**

Cross of the Nuestra Senora De Guadalupe Church, Sumay

In November 1983 this area was officially dedicated as the *Sumay Memorial Park*. The cross marks the site of the Nuestra Senora de Guadalupe village church. **Level of Difficulty: Easy (roadside)**

Sumay Cemetery (GHPI 66-03-1041)**

The village cemetery once contained 157 grave markers dating from 1910. Inscriptions are in Chamorro, Spanish and English. The cemetery was badly damaged by bombs prior to the July 1944 invasion. Official cemetery records were lost due to the war, and it is not certain how many are actually buried here, as it is not uncommon for old cemeteries to contain unmarked graves or graves outside of the formal boundary. **Level of Difficulty: Easy (roadside)**



Sumay Cemetery (NAVFAC photo)



Cross at Sumay (NAVFAC photo)

Dadi Beach (GHPI 66-02-0143), and Japanese Defense Fortifications (GHPI 66-02-1129, and 66-02-1303 recommended eligible for listing in the NRHP)

Dadi Beach was once part of an extensive pre-contact habitation site that is considered to be eligible for listing in NRHP. During the Japanese occupation of WWII, Dadi Beach, like numerous other Guam beaches, was protected by Japanese defensive positions in anticipation of a US invasion. The beach at Agat, visible in the distance to the south, was one of the American invasion beaches in 1944 (the other is located at Asan). A camouflaged bunker is carved into the natural outcropping on the northern end of Dadi beach. An unusual five-sided Japanese bunker is located mid-beach. After the liberation, this was one of numerous beaches where tons of supplies were brought ashore almost 24 hours a day for the hectic construction and operation of the new Naval Operating Base. The area was developed by the military for housing and recreation, including a 3,500 seat outdoor theater. **Level of Difficulty: Easy (short beach walk)**

Orote Village Site

The area behind Dadi Beach is the original site of Orote Village, a pre-European contact Chamorro village that existed into the late 1600's. Its location offered residents easy access both to the sea and to fertile farmland. Orote was one of several rebellious villages destroyed by the Spanish during the 1670-90's wars as the Spanish attempted to subdue the Chamorros and centralize them into a few Spanish controlled villages, where they were monitored by the priests and the military garrison, forced to attend Church daily and learn the Spanish language and customs. **Level of Difficulty: Moderate (dense vegetation)**

Fort Santiago (Frequently inaccessible due to nearby operations) (GHPI 66-03-1009)**

Fort Santiago, constructed between 1710 and 1721, was the first of three Spanish forts built to protect Apra Harbor. Early anchorages were located in Guam's southern bays, but Apra Harbor provided better protection from weather and attacks by rivals. The "D" shaped esplanade was large enough to contain six cannons that could be fired over a stone and mortar parapet. The fort's location on high ground gave it the ability to fire down on ships whose cannons could not be elevated enough to return fire. Fort Santiago's design was similar to other Guam fortifications of the period. In addition to the esplanade, there were a soldier's quarters and an ammunition storehouse. The location of the fort was well-chosen for defense of the harbor. During WWII, both the Japanese and Americans placed guns at the site of the old Spanish fort. **Level of Difficulty: Easy (short gentle climb from vehicle)**

Spanish Steps and Well) (Frequently inaccessible due to nearby operations) (GHPI 66-03-1009)**

This is a steep trail with steps carved into the coral limestone leading from the top of Orote Peninsula down the north face of the cliff to the shoreline below. It was speculated that this trail was created to allow fresh water to be hauled up to the Spanish forts from the well at the base of the cliff line; however, there is evidence that the steps were used by US Marines in the early 1900's to access their gun positions on the beach. The "Spanish" steps may be American. The well is located at the base of the cliff adjacent to the steps. It is constructed of mamposteria (coral rock) and is approximately six feet square.

Access to Spanish Steps, Well, and Orote Archaeological Site require use of the steep steps. Although safety ropes have been placed along the steps, hikers should not place much confidence in the ropes without inspecting them. Slips and falls are possible.

Level of Difficulty: Difficult



Spanish Steps (NAVFAC photo)



Spanish Well (NAVFAC photo)

Orote Archaeological Site (Frequently inaccessible due to nearby operations) (Part of the Orote Historical Complex, GHPI 66-03-1009)**

This prehistoric cave complex near the water at the tip of Orote Peninsula shows evidence of long and continuous use dating to the Pre-Latte period 3,500 B.C. to 500 A.D. The prehistoric islanders flourished as an advanced fishing, horticultural, and hunting society. They were expert seamen and canoe builders and skilled craftsmen who were familiar with intricate weaving and ceramic production. Caves are sensitive cultural and natural resources and bees frequently build nests in them. For visitor safety and protection of the resource, please limit your visit to the exterior of the caves. **Level of Difficulty: Difficult**



One of the Caves at Orote (NAVFAC photo)

Orote Point (Frequently inaccessible due to nearby operations)

From the overlook, you get a commanding view of the entrance to Apra Harbor, the Glass Breakwater, Orote Island and the coral reef formations below. You will also get an excellent view of the west coast of Guam as far as Ritidian Point. **Level of Difficulty: Easy (to roadside overlook at antennas; difficult to access beach)**



Orote Point, Viewed from beach (NAVFAC photo)

Gab Gab Beach and Japanese WWII Defense Fortifications (66-03-1128, 66-03-1346, 66-03-1347, and 66-03-1859 are all recommended eligible for listing in the NRHP)

The Gab Gab Beach area usage dates back thousands of years. Based on the presence of artifact scatters, features, and burials, the area is believed to have been the site of a village; however, any surface evidence, such as latte stones, has been displaced by development. During WWII, the beach was heavily fortified by the occupying Japanese to defend Apra Harbor. The gun emplacements located at the east and west ends of Gab Gab Beach were probably built by forced Chamorro labor. After the Americans retook Guam in 1944, the area was transformed by the Seabees into a major recreation area supporting thousands of service personnel. Today Gab Gab continues to be a popular outdoor recreation area for military families and their guests. **Level of Difficulty: Easy (short walk from vehicle)**

Japanese Defensive Cave Fortifications (recommended eligible for listing in the NRHP)

At least four cave complexes are visible in the side of the cliff above Sumay Village. The four primary caves are connected by a series of rear passageways. Interior modifications permitted guns to be fired and pulled back into the cave to avoid return fire. These caves were fortified with 75mm field guns and small caliber weapons. Soldiers shooting from the caves slowed the advance of the attacking Marines in the July 1944 Battle of Orote Peninsula. Like many caves and fortifications around Guam they were built using Chamorro and Okinawan forced labor in 1943–44. Bees nesting in the cave pose a hazard. Signs restrict entry into the caves. **Level of Difficulty: Easy (roadside)**



Japanese Defensive Cave, Sumay (NAVFAC photo)

Marine Corps Aviation Station

Flight "L" Fourth Squadron, (re-designated VS-1M in 1921 and then VP-3M in 1927), was the first U.S. Marine unit to serve west of San Francisco. The unit operated on this site in the 1920's with 10 officer pilots and 90 enlisted men. Their complex consisted of a large hangar surrounded by equipment and maintenance shops, a short seaplane runway with a nearby dredged seaplane taxi channel, and several buildings. The squadron was deactivated in 1931 and transferred back to San Diego and the island was demilitarized by order of the Secretary of the Navy to appease the Japanese as part of the Naval Arms Limitation Treaty. The abandoned buildings were put to good use only a few years later when Pan American Airways converted them to support their newly established Guam base. **Level of Difficulty: Easy (roadside)**

Pan American Clipper Landing

In 1936, the famous Pan American China Clippers, carrying around 35 passengers and crew, began landing in Apra Harbor for an overnight refueling stop on their way to Manila. The flight on a Martin M130 four engine seaplane began in San Francisco and flew to Hawaii, Midway, Wake, Guam and Manila in six days. A round trip San Francisco – Hong Kong took 12 days and cost \$1600 (more than \$25,000 in today's dollars). The Guam stopover put the island on the international map and brought rapid mail and cargo services and many new visitors. The Pan American Airways service to Guam ended with the Japanese invasion of Guam in December 1941. **Level of Difficulty: Easy (roadside)**

Pan American Skyways Hotel Site (GHPI 66-04-1042)*

PanAm contracted the *SS North Haven* to build facilities on Midway, Wake, and Guam to support the air route. The construction crew of the *North Haven* built the Skyways Hotel in 1935. The pre-fabricated one story hotel had two wings built around a central, circular lobby. Each room had a shower with hot water. One notable guest in November 1941 was the special emissary of Emperor Hirohito, Ambassador Kurusu, on his way to

Washington to inform President Roosevelt of Japan's refusal of the U.S. peace ultimatum. The hotel became the residence for Japanese Naval officers during the WWII occupation. The building was destroyed during the 1944 American pre-invasion bombardment. **Level of Difficulty: Easy (roadside)**

NOB Hill Theater (recommended eligible for listing in the NRHP)

The amphitheater was constructed by Japanese Prisoners using a masonry technique popular in Japan at the time. The facility was called NOB Hill Theater because of its close proximity to Naval Operating Base (NOB) headquarters located across Marine Corps Drive near today's CDR William C. McCool School. This outdoor theater seated thousands of people on sand bags or wooden benches. Some Guam residents recall watching movies here into the late 1950's. **Level of Difficulty: Easy (roadside)**

Japanese Prisoner of War (POW) Steps

In 1945, Japanese prisoners of war were assigned various construction projects, including these three sets of steps and the large amphitheater previously described. The Japanese used a masonry technique popular in Japan in the 1930's and 1940's on both projects. **Level of Difficulty: Easy (roadside)**

War Dog Memorial (GHPI 66-04-1098)

This cemetery honors the highly skilled War Dogs that served the Marines on Guam during World War II. Sometimes referred to as "Devil Dogs," they were trained to search out the enemy hiding in the jungle, detect mines and booby traps, alert troops of approaching Japanese, and to carry messages, ammunition and medical supplies. The War Dogs entered the Marines with the rank of Private and could be promoted, sometimes outranking their handlers. **Level of Difficulty: Easy (roadside)**



POW Steps (NAVFAC photo)



War Dog Memorial (NAVFAC photo)

Orote Naval Air Station (GHPI 66-02-1066)**

The airfield was initially constructed by Chamorro and Okinawan labor during the Japanese occupation of Guam. Carrier-based U.S. aircraft prevented the Japanese from using Orote during the June 1944 invasion of the Marianas. Denying the Japanese the

use of Orote Field was a crucial maneuver that helped determine the success of the Battle of the Philippine Sea. Within days of the American capture of Orote Peninsula, Navy Seabees had restored and lengthened the runway. By 4 August, Marines had set up operations with 529 officers, 2,778 enlisted men, and 204 aircraft of Marine Air Group 21. Housing for military personnel assigned to the Orote Airfield in 1944-45 was located along either side of the road. This compound included a "cantina," the main administration building, and the control tower for the airfield. You can see the concrete foundation of the control tower that overlooked the harbor.

Thousands of sorties were flown from Orote, which was used until 1946. Orote became active again in the 1950's and '60s when it supported the Korean and Vietnam conflicts. In 1975 at the end of the Vietnam conflict, 50,000 South Vietnamese refugees were housed in a 3,381 tent city erected here almost overnight. Orote Airfield was listed in the National Register of Historic Places in 1975. **Level of Difficulty: Easy (roadside)**

Seabee Memorial Monument

This monument commemorates the Seabees of the Fifth Naval Construction Brigade for their courageous, tireless and immediate efforts constructing the original Naval Operating Base (NOB) during and after the liberation of Guam until February 1946. Nicknamed "The Pacific Supermarket" this base provided vital replenishments for WWII operational units fighting in the Pacific. The Seabee's work also included the restoration of Orote Airfield, major harbor facility construction and building and surfacing 100 miles of roads, including Marine Corps Drive that traverses Guam between Naval Base Guam and Andersen Air Force Base. **Level of Difficulty: Easy (short walk from vehicle)**

U.S. Navy World War II Memorial Park

This memorial is dedicated to the almost 1,900 American servicemen and 712 Chamorro who were killed on Guam during World War II. Guam school children planted trees here (no longer in evidence due to storms) and buried a time capsule that will be opened on the one hundredth anniversary of the Liberation of Guam July 21, 2044. A more recent assessment of casualties has raised the number of islanders killed to 1,100. **Level of Difficulty: Easy (short walk from vehicle)**

Trans-Pacific Cable Station (GHPI 66-02-1043)**

This cable station, built by the Commercial Pacific Cable Company in 1903, served as one link in the trans-oceanic undersea cable that provided telegraph communications between America and the Philippines, China, and Japan. Six buildings were constructed on leased U.S. government land. Local Sumay residents helped construct the station and some were later employed here. The cable station was a prime target during the 8 December 1941 Japanese air attack that preceded the invasion and occupation of Guam. Today all that remains standing is the battle-scarred concrete wall of one of the station manager's homes. The Cable Station was listed on the National Register of Historic Places in 1979. **Level of Difficulty: Easy (short walk from vehicle)**



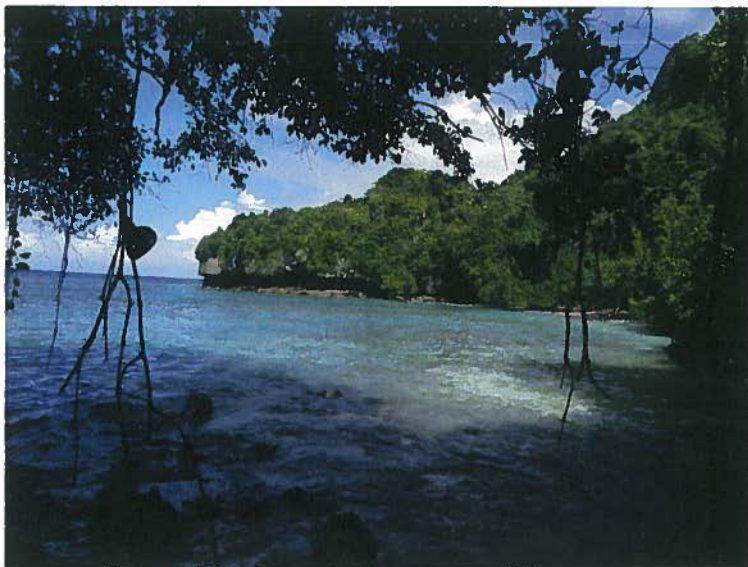
Trans-Pacific Cable Station Building (NAVFAC photo)

NAVAL COMPUTER AND TELECOMMUNICATIONS STATION

Double Reef Historical Trail

Double Reef Beach is a small beach with 150 feet of white sand shaded by several trees that lie across the beach. Due to the isolation of the beach, few people visit it. This is a hike of ca. 2.5 miles through limestone forest, often crossing rugged limestone outcrops. Note that the trail passes through the protected Haputo Ecological Reserve and caution and respect for the environment are expected. Some areas show evidence of prehistoric use (ceramic scatters, rock shelters, etc) and should not be disturbed. A spur off this trail leads to Tweeds Cave.

The Double Reef Trail also provides access to the Pugua Point Archaeological Complex and Tweed's Cave. Portions of the trail traverse rugged limestone outcrops with sharp rocks and unstable footing. Appropriate clothing and footwear should be worn. This can be a hot, fatiguing hike; participants should carry an adequate supply of drinking water. The potential dangers on the Double Reef trail include twisted ankles and falls onto sharp rocks, cuts, bee stings, and heat-related injury. **Level of Difficulty: Moderate**



Double Reef Beach (NAVFAC photo)

Tweed's Cave (GHPI 66-08-1051, recommended eligible for listing in the NRHP)

George Tweed was among a small group of American servicemen who avoided capture when the Japanese invaded Guam in December 1941. Although his companions were captured and executed, Tweed was able to avoid capture for more than two years with the assistance of local residents who were willing to risk punishment or death due to their loyalty to the U.S. Tweed hid in this "cave" for a year and a half. Tweed was rescued after he used a mirror to signal to American ships off shore in July 1944. Tweed was a controversial figure because local citizens were interrogated and tortured by the Japanese in an attempt to locate him and punish any who were helping hide him. Note that the trail to Tweed's Cave passes through the protected Haputo Ecological Reserve and caution and respect for the environment are expected. In addition to strong footwear, hikers who choose to visit Tweed's Cave should carry gloves, preferably leather. The final climb to the site requires a vertical ascent on sharp limestone. Climbers who do not wear gloves will almost certainly experience cut fingers. Falls at Tweed's Cave could result in serious injury. Hikers should evaluate their fitness level before committing to this climb.

Level of Difficulty: Moderate

Pugua Point (GHPI 66-08-0008)**

This was the location of a principal village during the Latte period. The coastal area contains evidence of extensive settlement, with latte elements, several rockshelters, artifact scatters, and a cave. This is also close to Tweed's Cave. Access to the area is along the trail leading to Double Reef. **Level of Difficulty: Moderate**

Haputo Beach and Village (GHPI 66-08-0007)**

Haputo Beach is located within Navy property on the northwestern coast of Guam. The beach is situated within a protected cove with beautiful clear water and soft white sand. This is a short hike of ca. ½ mile that involves a descent of ca. 300 feet to the beach (and climb back out). There are 212 concrete steps along the path. Rock shelters, caves, and standing latte stones are present in the village located along the base of the bluff. Note that the trail passes through the protected Haputo Ecological Reserve and caution and respect for the environment are expected. Due to cultural and natural resource sensitivities, a path to representative sites has been designated. Straying from the designated path could damage fragile resources and restrict future access to this important site. **Please note: Due to resource sensitivity concerns, public access to this site will be limited to no more than 7 visitors at one time and no more than one scheduled visit per month. All visits to this site will be escorted by the Access Plan Coordinator.**

Moderately steep sections of the trail contain loose stones and roots that can be slippery. The steep part of the trail consists of concrete steps with a safety rope. The climb back up from the beach can be strenuous for those in less than ideal physical condition; rest stops may be required. As with other hikes, wear appropriate footwear and carry sufficient water. Boonie bees can be encountered in the forest. If visitors plan to relax on the beach, be aware that sunburn can occur rapidly in this environment and take proper precautions. **Level of Difficulty: Moderate**



Latte Shaft and Capstone, Haputo Site
(NAVFAC photo)

South Finegayan Latte Site (South Finegayan Housing Area) (GHPI 66-08-0141)***

The foundation of an ancient building was preserved in a park within the South Finegayan Housing Area located on Route 3 in Dededo. The site is listed in the National Register of Historic Places. This easily accessible site demonstrates the megalithic architectural style known as *latte*, which is found only in the Marianas. The vertical stone shafts are known as *haligi* and the hemispherical capstones are called *tasa*. The foundation supported a wooden structure, probably with a roof of woven palm fronds. This area was occupied by the indigenous Chamorro into the Spanish colonial period, when many of the villagers in northern Guam were relocated to central villages where they could be more easily controlled by Spanish military and religious officials. The purpose of the compound columns is not known; however, there is speculation that the technique might have provided some resistance to earthquakes, which are common in the region. The design also provided some protection against vermin and provided cooling airflow under the house. **Level of Difficulty: Easy (roadside)**



South Finegayan Latte Set (NAVFAC photo)

ANDERSEN AIR FORCE BASE

B-52E “Grey Ghost”

This tail section of a B-52 Stratofortress is just a small part of the “Grey Ghost” legacy that goes all the way back to the 1960s. An old B-52B started the “Grey Ghost” sequence in 1966. Airmen called them “Grey Ghosts” because of their old, weathered, faded aluminum and white anti-flash paint scheme. This contrasted with the operational ARC LIGHT B-52Ds that were painted camouflage and black. The “Grey Ghosts” were used as ground instruction training airframes until replaced by the next newer model.

This B-52E was flown to Anderson AFB specifically to be converted into the new “Grey Ghost” in 1970. After three years, the tail was removed so the fuselage could be used for firefighting and rescue training. In May of 1976, the high winds of Super Typhoon Pamela blew this tail section from the firefighting training center across the road to this location, where jungle concealed it for almost 20 years. Since 1999, the Andersen AFB Boy Scouts Troop 20 has been of caring for the grounds of where the “Grey Ghost” rests today. **Level of Difficulty: Easy (roadside)**



Tail of “Grey Ghost” (NAVFAC photo)

*Tarague Beach (GHPI for Tarague District is 66-07-0015)**

The Tarague area, located on Guam’s north coast, contains several historic and prehistoric sites and an interpretive trail. Tarague is considered to be one of the most important archaeological areas on Guam. The Tarague archaeological site is culturally very important, as it has yielded deeply stratified archeological deposits dating back to the 2nd millennium BC, making this area one of the oldest occupied sites documented in the Marianas. An extensive period of human occupation from the early Pre-Latte to later Latte Phase is well-represented at Tarague. Other resources at Tarague include a historic well structure, a pier used during the copra production years, water reservoirs, and WWII features.



Tarague, looking East (NAVFAC photo)



Defensive Position at Tarague (NAVFAC photo)

There are two established historic trails at Tarague. The Coastal Trail begins at the southern end of the Beach Parking area. This trail runs south along the shore, covers almost 2 miles (one way), and ends near the fenced firing range. The trail, which includes interpretive signs for cultural and natural features, frequently emerges from the jungle onto the beach. A second trail runs inland from near the southern end of the coastal trail. The inland trail features additional natural and cultural resource along its 0.7 mile length (one way). Visitors can see ancient rock shelters and agricultural plots, as well as evidence of more recent use of the resources. Portions of the inland trail are steep and rocky. Hikers should carry water and dress appropriately. **Level of Difficulty: Moderate**

Heritage Hall

This collection, located inside the AMC passenger terminal on Andersen AFB, specializes in Air Force WWII Pacific Theater operations, as well as Andersen AFB history. In 2006, approximately 750 people signed the Hall's guest book. Guests in 2006 included former US President George HW Bush, new base residents, transients passing through base, multiple foreign nationals, home-schooling groups, local civilians, FTAC classes, and veterans' tours. **Level of Difficulty: Very Easy (from parking lot)**

TIER 3

NAVAL MUNITIONS STORAGE AREA SITES

Alamagosa Falls/Springs

Guam has two distinctive geologic regions. Northern Guam is underlain by porous limestone and has no surface water; fresh water is taken from wells. The volcanic geology of southern Guam is very different and contributes to an abundance of streams and springs. Alamagosa Springs, located within the Naval Munitions Storage Area, is a source of fresh water that attracted people to settle in the area. Many latte sites have been documented near the springs. The presence of abundant fresh water probably made this a good location for collecting and gardening. The springs are tapped to provide water for US Navy facilities.

Hikers choosing to continue to Alamagosa Falls will follow a trail that requires wading through streams and through muddy areas. Appropriate footwear is recommended. In the past, some visitors have climbed the face of the falls and jumped into the pool. This activity greatly increases the potential for injury in this remote area and is not permitted.

Level of Difficulty: Moderate



Alamagosa Springs (NAVFAC photo)

Dobo Spring Archaeological Site (GHPI # 66-02-0151, NRHP listing pending)

The Dobo Spring Latte Set Complex is a middle-to-late Latte Period (A.D. 1100-1521) archaeological site representative of traditional Chamorro domestic dwelling structures on the island of Guam. The Dobo Springs Latte Complex is a concentration of latte sets and components located along a ridge at the intersection of Alamagosa Springs and Dobo Springs Road. The largest latte set in the group of five features that comprise the Dobo Springs site is located at the eastern end of the site on the highest point of the ridge. This was a large house with six pairs of latte shafts. Although some of the stones are now leaning, they remain in their original position and define the shape and size of the house. The latte set measures 21 meters long and almost 8 meters wide. These shafts and capstones are among the largest latte on the island.



Large Latte Set, Dobo Spring Complex (NAVFAC photo)



Basalt Lusong at Dobo Spring Site near Alamagosa Springs (NAVFAC photo)

Ease of access to the Dobo Spring site depends on road condition. If conditions allow, vehicles can be parked beside the road on the hill overlooking the intersection of Dobo Spring Road with Alamagosa Springs Road. All the latte features can be seen during the short walk along the crest of the ridge. If vehicles must be left at the intersection of High Road and Alamagosa Springs Road, a considerable walk along Alamagosa Springs Road will be necessary. If conditions are wet, mosquitoes will be present. Hikers may encounter feral pigs and carabao along the way. **Difficulty: Moderate**

East Bonya Site (GHPI 66-02-145B)*

The site consists of six Latte sets extending approximately 325 meters along a ridge. Several of the latte sets are in good condition, with most shafts standing. Some of the shafts are trapezoidal in shape and have capstones that are also trapezoidal. A 1995 investigation placed test units in and adjacent to the only undisturbed latte set on the site. Investigators learned that some of the shafts had been set in pits; others were not.

Archaeologists interpreted this difference as a method for adjusting the standing height of the shafts. **Level of Difficulty: Moderate**

West Bonya Site (GHPI 66-02-145A)**

The site contains seven latte sets; only the largest set is in good condition. It is a 12-Latte set situated near the center of the complex. The set is unusual because it is associated with a retaining wall aligned with the long axis of the foundation. The latte components



Latte Set, E. Bonya Site (NAVFAC photo)

Latte Set, West Bonya Site (NAVFAC photo)

are large and well-shaped. Carbon dates indicate that the house was used between 1285 and 1435. Standing shafts are over a meter above the ground surface. The latte complex includes two 10-Latte sets and other sets that have been disturbed to the extent that the number of latte and orientation of the structures could not be determined. In addition to the latte elements, the site contains several basalt mortars and a surface artifact scatter. Based on archaeological evidence, the high point for occupation of this area was about 600 years ago. Many of the sites in this area appear to have been abandoned prior to establishment of a Spanish colony. **Level of Difficulty: Moderate**

Japanese Lookout

This ca. 900 foot high vantage point overlooking the village of Agat provides a view of much of the island. Located within the Naval Munitions Storage Area (Ordnance Annex), the site can be reached by a short walk from the road. Although the climb is not particularly difficult, it is through loose stones. A large rope is available to assist climbers. Injuries resulting from falls could occur.

Level of Difficulty: Moderate (short but steep climb from vehicle)



Orote Peninsula Viewed from Lookout (NAVFAC photo)

ANDERSEN AIR FORCE BASE

*Pati Point Overlook (GHPI for Pati Point Archaeological Site is 66-07-0016)**

NOTE: Currently under development due to recent construction on Anderson AFB's flight line, as well as limited use of the trail for many years. The trail to Pati Point overlook follows an old Japanese road to a small concrete building (bunker) overlooking the sea. This is the terminus of the trail. Proceeding beyond this point is extremely hazardous and is prohibited. On clear days, Rota is visible on the horizon. The overlook provides a view of the location of an archaeological complex that (not accessible from the trail) that contains both pre-latte and latte components.

The trail and surrounding jungle present many hazards. The footing is rugged in places, and there are extremely steep cliffs adjacent to narrow foot paths, so appropriate footwear and equipment is required. Due to these sit conditions, emergency response capability is very limited. There is no know cellular coverage in the area, so at least two escorts (one at the trailhead and one with the group) are required. Anderson AFB will provide escorts with two-way radios and train them to use the radios. Escorts must check in and out with emergency responders. There are sensitive cultural and natural resources in this area, as well as the potential for unexploded ordnance, so hikers must not stray from the designated trail. Finally, bees and dense foliage also present hazards, so hikers must wear adequate protective clothing. **Level of Difficulty: Very Difficult**

**PROGRAMMATIC AGREEMENT AMONG
THE DEPARTMENT OF DEFENSE¹,
THE ADVISORY COUNCIL ON HISTORIC PRESERVATION,
THE GUAM STATE HISTORIC PRESERVATION OFFICER,
AND THE COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS STATE
HISTORIC PRESERVATION OFFICER REGARDING THE MILITARY
RELOCATION TO THE ISLANDS OF GUAM AND TINIAN**

WHEREAS, the Department of Defense (DoD), acting through the Joint Guam Program Office (JGPO) as the National Environmental Policy Act (NEPA) proponent in the Guam and CNMI Military Relocation July 2010 Final Environmental Impact Statement (FEIS), covering the Guam and Commonwealth of the Northern Mariana Islands (CNMI) Military Relocation, proposes to develop, construct, and operate additional facilities and infrastructure on Guam and Tinian in order to meet national defense mission requirements associated with the relocation (Undertaking), as described in the FEIS; and

WHEREAS, the Undertaking comprises three primary actions as defined in the FEIS: (1) relocation of 8,600 Marines and their 9,000 dependents from Okinawa to Guam; (2) construction and operation of a transient nuclear aircraft carrier wharf; and (3) establishment and deployment of an Army Air and Missile Defense Task Force; and

WHEREAS, DoD, in implementing the Undertaking, proposes to authorize or carry out a variety of DoD projects identified in the FEIS that are funded in whole or in part by DoD, including those carried out by or on behalf of DoD by authorized contractors, agencies, and individuals; those carried out by third parties with DoD financial assistance and in which the DoD has control of the expenditure of funds; and those DoD activities requiring a Federal permit, license or approval; and

WHEREAS, the projects associated with the Undertaking include, but are not limited to, constructing new training areas, base housing, and office areas; maintaining, rehabilitating, repairing, constructing, and demolishing buildings, structures, and roads; and installing, repairing, and updating utilities and infrastructure on Guam and Tinian; and

WHEREAS, DoD has determined that the Undertaking is subject to review under Section 106 of the National Historic Preservation Act (NHPA), 16 United States Code (U.S.C.) 470f, and its implementing regulations, 36 Code of Federal Regulations (CFR) part 800; and

WHEREAS, DoD has determined that the Undertaking will affect historic properties as defined by 36 CFR § 800.16(l); and

WHEREAS, DoD has established the Area of Potential Effect (APE) for the direct and indirect effects of the Undertaking based on the FEIS as shown and described in Appendix A; and

¹DoD Representative Joint Region Marianas / United States Navy and the United States Marine Corps will sign this agreement. Additional DoD services may also sign the agreement as Invited Signatories.

WHEREAS, the APE for cumulative effects on historic properties includes the entire islands of Guam and Tinian; and

WHEREAS, DoD has determined that the effects on historic properties cannot be fully determined prior to approval of the Undertaking; and

WHEREAS, should there be changes to the projects included within the Undertaking, or new actions or projects proposed that support the Undertaking, that have potential effects on historic properties that have not been fully analyzed, DoD will conduct supplementary consultations pursuant to the terms of this PA; and

WHEREAS, DoD recognizes the long and unique history of Carolinian and Chamorro peoples of Northern Marianas descent in CNMI and the importance of protecting and preserving the record of that history under Federal law; and

WHEREAS, DoD recognizes the long and unique history of Chamorros on Guam and the importance of protecting and preserving the record of that history under Federal law; and

WHEREAS, DoD anticipates that other federal agencies, such as the Environmental Protection Agency and U.S. Army Corps of Engineers, as well as public, private, and Special Purpose Entities (SPEs) may conduct other activities² during the period of implementation of the Undertaking on the islands of Guam and Tinian that may be related to the Undertaking but that are independent of the control and authority of DoD, and that these agencies and entities are separately responsible for ensuring their compliance with Section 106 of the NHPA for those activities; and

WHEREAS, DoD acknowledges that potential effects to historic properties may result from reasonably foreseeable activities by other federal agencies, public and private entities, and SPEs, and must be taken into account as cumulative effects of the Undertaking; and

WHEREAS, DoD has developed this Programmatic Agreement (PA) pursuant to 36 CFR §800.14(b)(3) and in consultation with the Guam (State) Historic Preservation Officer (SHPO), the CNMI SHPO, and the Advisory Council on Historic Preservation (ACHP), Invited Signatories, Concurring Parties,³ and the public; and

² Such activities include, among other things, design, finance, demolition, construction, extension, ownership, management, acquisition, lease, sale, rehabilitation, operation and maintenance of infrastructure; Such projects are limited to those that are reasonably foreseeable within the period of implementation of the projects comprising the Undertaking.

³ For purposes of this PA, Concurring Parties are those groups, agencies, and/or individuals invited by DoD to participate in development of the PA and to concur with its provisions. Parties electing to indicate their concurrence by signing the agreement are afforded the specific opportunities to comment on the actions, as defined in Stipulation I.C.3 of this PA. Concurring Party status does not include the authority to amend, formally object, or terminate this PA, nor is additional agreement from the Concurring Parties required to finalize decisions authorized in this agreement.

WHEREAS, it is in the interests of all parties to identify means by which consultations pursuant to this PA may be streamlined in recognition of the limited staff and increased workloads of the Guam and CNMI SHPOs; and

WHEREAS, the Tinian Landing Beaches, Ushi Point Field, and North Field, Tinian Island National Historic Landmark (collectively known as the Tinian NHL) are located within the APE of the Undertaking, and DoD has notified the Secretary of the Interior (SOI), through the National Park Service (NPS), of this Undertaking pursuant to 36 CFR §800.10(c) and the SOI has elected to participate in this consultation through the NPS as an invited signatory; and

WHEREAS, in addition to the Tinian NHL, the Undertaking may have potential adverse effects to historic properties within the National Park System, including properties comprising the War in the Pacific National Historical Park on Guam. Pursuant to this PA, DoD will consult with the Signatories, Invited Signatories, and Concurring Parties to undertake such planning and actions as may be appropriate to avoid, minimize, and/or mitigate these effects; and

WHEREAS, as part of the Undertaking, DoD has requested that the U.S. Department of Transportation Federal Highway Administration (FHWA) supervise the administration of improvements to off-installation roadways, as described in the FEIS, with funds transferred to FHWA from DoD appropriations in accordance with the Defense Access Road (DAR) program established in 23 United States Code (23 USC) Section 210, which provides a means for the military to pay for its fair share of public road improvements required as a result of sudden or unusual defense-generated traffic impacts or requirements and requires that FHWA shall carry out the DAR projects following standard Federal-aid Highway Program procedures, including compliance with Section 106 and its implementing regulations. Accordingly, FHWA has been invited to be a signatory to this PA for purposes of coordinating its own Section 106 responsibilities for the DAR projects; and

WHEREAS, as outlined in Appendix B, DoD has held eleven public meetings to seek public comment and input under the NHPA (four were held early in the process to identify historic properties, while seven meetings were held after the release of the Draft EIS so that meaningful consultation on the Undertaking and the impacts that it may have on these properties could be conducted) and also has allowed for additional input from the general public and other interested parties through a series of "Partnering Sessions," "Scoping Meetings," "Village Meetings," and individual direct correspondence with persons and organizations, and has taken these comments into account while developing this PA; and

WHEREAS, the Signatories, and Invited Signatories electing to sign, agree to carry out the roles and responsibilities assigned to them in this PA.

NOW, THEREFORE, DoD, United States Marine Corps (USMC), ACHP, Guam SHPO, and CNMI SHPO agree that in carrying out the Undertaking in accordance with the procedures defined by this PA, DoD will satisfy its Section 106 responsibilities for the Undertaking.

STIPULATIONS

DoD shall ensure that the following measures are carried out:

I. APPLICABILITY

- A. This PA applies to all individual projects associated with the Guam and CNMI Military Relocation, as identified in the FEIS and listed in Appendix A and as added or modified pursuant to Stipulation I.E. These projects are collectively referred to as the “Undertaking,” per the definition of that term in 36 CFR §800.16(y).
- B. Unless otherwise noted, this PA will utilize the definitions found at 36 CFR §800.16. A glossary of terms and acronyms is provided as Appendix C.
- C. The parties included on the signature pages of the PA have separate roles and responsibilities under the PA, depending on whether they are Signatories, Invited Signatories, or Concurring Parties.
 1. Signatories: The following parties are identified as Signatories to this PA: DoD, USMC, Guam and CNMI SHPOs, and ACHP. All Signatories will be responsible for complying with the provisions of this PA, and have assigned rights under Stipulations XIII, XIV, and XV related to resolving objections, amendment, and termination under this PA.
 2. Invited Signatories: The following parties are identified as Invited Signatories to this PA: the NPS, FHWA, Department of the Army, and Department of the Air Force. Invited Signatories electing to sign the PA assume roles under Stipulations IV, V, and VI related to identification and evaluation of historic properties, assessment and resolution of adverse effects, and general mitigation measures. These roles are not applicable to Invited Signatories who do not sign the agreement.
 3. Concurring Parties: The following parties have been invited to sign the PA as Concurring Parties and, once they have signed the PA, assume roles defined in the text of this PA to consult⁴ on identification, evaluation, and treatment of historic properties, to participate in annual workshops, to participate in resolving objections, and to advise the Signatories. Consulting Parties identified during the development of this PA include: the Mayor of Tinian, the Northern Mariana Islands Museum of History and Culture, the Guam Preservation Trust, the National Trust for Historic Preservation, the Department of Chamorro Affairs, the Guam Museum, Commission on Decolonization, Task Force on

⁴ For purposes of this PA, the terms “consult” and “consultation” (as defined in 36 CFR 800.16(f)) shall not be interpreted to imply or require procedures or input from any party to this agreement or the public beyond the procedures incorporated in the PA.

Free Association, We Are Guahan, Fuetsan Famalao'an, Guam Boonie Stompers, Chamorro Tribe, Nasion Chamoru, Guam Legislature, Taotaomona Native Rights, and Dr. Tom King. DoD may invite additional organizations and individuals to become Concurring Parties in the future, based on expression of interest and involvement with historic preservation issues.

- D. All Signatories, and Invited Signatories electing to sign, agree to carry out the roles and responsibilities assigned to them in this PA.
1. For specific projects within the Undertaking that are proposed on DoD leased lands, such as the northern portion of Tinian, the DoD Representative, who also serves as Commander, Joint Region Marianas (CJRM), is responsible for complying with applicable project-specific stipulations.
 2. CJRM, as the Regional Commander responsible for all shore installation management issues on Guam, shall be responsible for complying with applicable project-specific stipulations. When projects associated with the Undertaking will occur on a specific DoD installation on Guam, the Installation Commanding Officer (ICO) will oversee compliance with applicable project-specific stipulations. The project proponent shall be responsible for funding and complying with the agreed upon stipulations and mitigations. The installation Cultural Resources Manager (CRM), as representative of the ICO, shall ensure that the project proponent carries out the agreed upon stipulations.
 3. For specific projects within the Undertaking that are proposed on lands held by DoD under less than fee simple ownership (i.e., lands used or controlled by DoD under leases, licenses and easements), the project proponent, if a Signatory to this agreement, shall be entitled to utilize the procedures incorporated in Stipulations IV and V for compliance with Section 106 of the NHPA. DoD, acting through CJRM, is responsible for ensuring NHPA compliance among project proponents for activities included within the Undertaking, regardless of the signatory status of the project proponent, if the project is carried out by or on behalf of DoD.
 4. For specific projects associated with the Undertaking that involve improvements to any off-installation roadways under the DAR Program, as described in the FEIS, the FHWA is separately responsible for ensuring compliance with Section 106 of the NHPA and is not subject to the other stipulations in this PA. FHWA will continue to consult with the appropriate SHPO and other consulting parties pursuant to Section 106 and its implementing regulations on any DAR projects necessitated by this undertaking until an agreement is reached or the process is resolved in accordance with 36 CFR §800.3-7.
 5. DoD, acting through CJRM, is responsible for ensuring that measures incorporated in the PA to address the cumulative effects on historic properties

of other reasonably foreseeable activities conducted on the islands of Guam and Tinian during the period of implementation of this PA are carried out, and that cumulative effects are taken into account during any supplementary consultations conducted for new actions or changes to existing projects under this PA for this Undertaking.

- E. In the future, if DoD proposes new actions or projects on Guam or Tinian that support the Undertaking but that are not listed in Appendix E to this PA, such actions will require supplemental review in accordance with the stipulations of this PA. DoD shall notify the Signatories, Invited Signatories, and Concurring Parties to this agreement in writing of the new project(s), then follow the procedures detailed in Stipulations IV and V of this PA. DoD shall also notify the public and other consulting parties (as may be identified at the time) of the proposed new actions or projects to resolve potential effects to historic properties through written notice and publication to a Cultural Resources Information public website (CRI). Agreements developed through supplemental consultation under this PA will be reported in the semi-annual report as required by Stipulation XII.A.
- F. As defined under 36 CFR § 800.16(l) historic properties addressed in this PA are prehistoric or historic districts, sites, buildings, structures, or objects included in, or eligible for inclusion in, the National Register of Historic Places maintained by the Secretary of the Interior. Consistent with the regulatory definition, this may include Traditional Cultural Properties, sacred sites, and culturally important natural resources determined to meet the National Register Criteria of Eligibility (36 CFR § 60.4).

II. PROFESSIONAL STANDARDS

- A. All surveys, testing, and planning relating to archaeological resources in the form of archaeological sites, structures, and districts will be carried out by, or under the oversight or supervision of, a person or persons meeting the professional qualification for Archaeologist found in the SOI Professional Qualification Standards, 48 Federal Register (FR) 44716.
- B. All historic property surveys and eligibility determinations of built properties in the form of historic buildings, structures, sites, objects, and districts will be carried out by, or under the oversight or supervision of, a person or persons meeting the professional qualifications for Architectural Historian, Historian, or Historical Architect in SOI Professional Qualification Standards, 48 FR 44716.
- C. Traditional Cultural Property (TCP) studies and eligibility determinations will be carried out by, or under the oversight or supervision of, a person or persons having a graduate degree in Anthropology, History, or closely related field; documented experience or expertise involving Pacific Island cultures; and previous experience conducting TCP studies and evaluations.

- D. All historic property surveys and eligibility determinations for historic or cultural landscapes will be carried out by, or under the supervision of, a person meeting the professional qualifications for Historian 48 Federal Register (FR) 44716; or Historic Landscape Architect in the proposed SOI Qualification Standards, 62 FR 33720.
- E. DoD will use appropriate contract performance requirements, and/or appropriate source selection criteria for cultural resources contractors that shall include, but not necessarily be limited to, minimum qualifications for historic preservation experience and satisfactory prior performance, as appropriate to the nature of the work and the type of procurement, developed with the participation of DoD professionals meeting the standards of Stipulation II.B, for projects involving historic buildings, structures, and landscapes; Stipulation II.A, for projects involving archaeological resources; Stipulation II.C for projects involving TCPs; and Stipulation II.D for projects involving historic or cultural landscapes.

III. OTHER AGREEMENTS

- A. The following agreement documents have been previously executed for DoD actions on the islands of Guam and Tinian. These agreement documents shall continue to apply for the circumstances for which they were developed until they should either expire or be terminated, and are not in any way superseded or invalidated by the stipulations related to the Undertaking contained herein. Similarly, the stipulations of the agreement documents listed below will not apply to the review or implementation of the projects comprising the Undertaking addressed in this PA.
 - 1. 2008 Programmatic Agreement Among the Commander, Navy Region Marianas, The Advisory Council on Historic Preservation, and the Guam Historic Preservation Officer Regarding Navy Undertakings on the Island of Guam.
 - 2. 2009 Programmatic Agreement Among the Department of Defense Representative Guam, Commonwealth of the Northern Mariana Islands, Federated States of Micronesia and Republic of Palau, Commander, Joint Region Marianas, Commander, 36th Wing, Andersen Air Force Base, the Guam Historic Preservation Officer, and the Commonwealth of the Northern Mariana Islands Historic Preservation Officer Regarding Military Training in the Marianas.
 - 3. 2006 Memorandum of Agreement Between the United States Air Force and the Guam State Historic Preservation Officer Regarding the Northwest Field Beddown Initiatives at Andersen Air Force Base.

IV. IDENTIFICATION AND EVALUATION OF HISTORIC PROPERTIES

- A. In planning for the Undertaking, DoD has conducted extensive archaeological and architectural surveys and evaluations, and, in consultation with the Guam and CNMI SHPOs, ACHP, NPS, and some Concurring Parties, applied the results to the siting/lay down of individual projects to avoid, minimize and mitigate effects to historic properties. DoD has provided documentation, as requested by the applicable SHPO, of these efforts to the Signatories and Invited Signatories. Appendix D provides a list of all archaeological and architectural surveys conducted as a part of the FEIS, an overview of completed surveys, areas of known sensitivity, and identified historic properties.
- B. DoD surveys and evaluations have focused on project-specific APEs, defined consistent with 36 CFR §800.16(d) to include those portions of the islands of Guam and Tinian subject to direct and indirect effects of projects included in the Undertaking, based on the current FEIS as shown and described in Appendix E. In the course of supplemental reviews pursuant to Stipulations IV and V of this PA, the Signatories and Invited Signatories may request that additional project-specific APEs be defined consistent with 36 CFR §800.16(d) to address potential direct and indirect effects of individual projects.
- C. In addition to the archaeological and architectural surveys and evaluations noted in Stipulation IV.A above, DoD has completed extensive archival research and oral history studies and interviews to identify traditional cultural properties, sacred sites, and culturally important natural resources such as the *donni sali*, *nunu*, *da'ok*, *dukduk*, *ifit* trees, and medicinal plants. DoD will provide to the appropriate SHPO a list of all archival research, oral history studies and interviews conducted as a part of the FEIS.
- D. For the majority of project areas included within the Undertaking, DoD has provided documentation of identification efforts and determinations of eligibility to the applicable SHPO, consistent with 36 CFR §800.4(b)(2) and §800.11. Appendix E summarizes the results of DoD's recommendations and status of SHPO review.
- E. Consistent with the process defined below, as part of each year's annual review of projects (see Appendix E), DoD will seek additional information from the Signatories, Invited Signatories, and Concurring Parties, and the public regarding historic properties in project areas associated with the Undertaking, prior to finalizing determinations of eligibility, consistent with 36 CFR §800.4(a)(3) and §800.4(b)(1). DoD will update Appendix E annually to reflect the review of such additional information on identification and evaluation of historic properties.
 1. Beginning in 2011, within 30 days of the formal submission of the Presidential Budget to Congress, DoD will provide information about military construction projects anticipated for the following fiscal year (October 1-

September 30). Military construction projects funded by the Government of Japan will also be evaluated at the same time.

- a. Notices to the public of availability of this information, ways to access the information, the duration of the public input period, and ways to provide input will be distributed through Public Service Announcements which utilize cable TV, radio, and newspaper media to reach the public. Notice to Signatories, Invited Signatories, and Concurring Parties will be made through direct written notice.
 - b. DoD will take into account all comments provided within 45 days of public notification of availability.
 - c. The list of projects provided to the public may change as the budget process moves through Congress. DoD will provide notice of any projects added to the budget and will take into account public input received within 45 days of such notification. Notification will occur through Public Service Announcements in the formats noted above. Notice to Signatories, Invited Signatories, and Concurring Parties will be made through direct written notice.
2. Within 30 days from the effective date of this PA, DoD will utilize a publicly accessible Cultural Resources Information (CRI) website to make information available to the public and request the public's input regarding the identification and evaluation of historic properties within project-specific APEs for direct and indirect effects. The website may be operated under a DoD contract. The website will provide information and appropriate supporting documentation regarding DoD's identification and evaluation efforts and findings, in order to provide the public opportunities to comment. Upon request, DoD will provide up to 30 printed copies of the information to the appropriate SHPO for distribution to interested parties who may not have access to the Internet.
- a. The CRI website will include supporting information regarding study areas, the scope of DoD identification efforts, and DoD's determinations of eligibility. The information will be presented to allow interested members of the public to provide comments on the identification and evaluation of historic properties. The website will include comments received during the comment period.
 - b. Confidentiality requirements under the Archaeological Resources Protection Act (ARPA) and NHPA prohibit Federal Agencies from publicly disclosing the exact nature and location of archaeological sites and other types of historic properties such as TCPs.

- F. New Information. Solicitation, discussion, and review of additional information under this PA may be required when new information is received regarding the potential presence of historic properties; or when project areas listed in Appendix E have not been assessed for the presence of historic properties through onsite field surveys; or New project areas are introduced; or the APE for a project changes to incorporate previously unsurveyed areas.

1. Additional Findings

When new information or new areas are introduced consistent with part E of this stipulation, DoD will provide its findings in writing to the appropriate SHPO, who will have 45 days after receipt of DoD's findings to determine whether supplemental identification measures are warranted. If DoD and SHPO agree, or if SHPO does not comment within 45 days, DoD will proceed consistent with its findings. If the parties do not agree within 45 days from the date DoD provides its findings, DoD and SHPO will consult for an additional period not to exceed 15 days from the date SHPO provides DoD with notice of its objection. If consensus cannot be reached within 15 days, DoD will provide written notice to the Signatories, Invited Signatories, and Concurring Parties of DoD's decision, and further disagreement, if any, will be addressed in accordance with Stipulation XIII.B. The party referring the matter for resolution under Stipulation XIII.B must provide DoD with written notification of the referral within 10 days of DoD's notice of decision

2. Work Plans

When SHPO and DoD concur in the need for supplemental identification and evaluation efforts, DoD will submit a work plan to the SHPO prior to conducting field investigations, such as archaeological testing, architectural surveys, other data collection, or ethnographic interviews.

- a. DoD will notify the Signatories of the submission of a work plan and, upon request, these parties may review work plans; however, data subject to Archaeological Resources Protection Act (ARPA) (16 U.S.C. 470hh) and NHPA (16 U.S.C. 470w-3) will be restricted consistent with those statutes DoD will consider comments from these parties in consultation with SHPO, as stipulated below in subpart b of this part.
- b. SHPO will comment on work plans provided by DoD within 45 days of the date such documentation is received by the SHPO. If SHPO concurs with the plan, DoD may proceed accordingly. If DoD has received no written comments from the SHPO within 45 days after submission of the plan to the SHPO, DoD may assume concurrence and proceed consistent with its findings.

- c. If SHPO disagrees with the work plan, SHPO will provide written notification to DoD within 45 days from the date SHPO received the plan. The notice should include the reasons for the disagreement and SHPO's proposed resolution. DoD will take SHPO's comments into account and advise SHPO of DoD's response. If the parties still disagree, DoD and SHPO will consult for an additional period not to exceed 15 days from the date of DoD's notice of proposed response. If consensus cannot be reached within 15 days, DoD will provide written notice to the Signatories, Invited Signatories, and Concurring Parties of DoD's decision and further disagreement, if any, will be addressed in accordance with Stipulation XIII.B. The party referring the matter for resolution under Stipulation XIII.B must provide DoD with written notification of the referral within 10 days of DoD's notice of decision.

3. Reporting Results

The results of supplemental identification and evaluation efforts, if such efforts are required, will be submitted to the appropriate SHPO for review. DoD will submit the results to SHPO within three months of completion of supplemental work.

- a. In conducting supplemental identification and evaluation efforts, DoD will ensure that documentation consistent with 36 CFR §800.11 is submitted to the appropriate SHPO. The level of effort for identification of historic properties will be consistent with 36 CFR §800.4(b)(1) and published SHPO survey guidelines, if any, where these do not conflict with applicable federal guidelines.
- b. SHPO will comment on results provided by DoD within 45 calendar days of the date the documentation is received by the SHPO. If SHPO agrees with the results, DoD may proceed accordingly. If DoD has received no written comments from the SHPO within 45 days after submission of the results to the SHPO, DoD may assume agreement and proceed accordingly.
- c. If SHPO disagrees with the results, SHPO will provide written notification to DoD within 45 days from the date SHPO received the results. The notice should include the reasons for the disagreement and SHPO's proposed resolution. DoD will take SHPO's comments into account and advise SHPO of DoD's response. If the parties still disagree, DoD and SHPO will consult for an additional period not to exceed 15 days from the date of DoD's notice of its proposed response. If consensus cannot be reached within 15 days, DoD will provide written notice to the Signatories, Invited Signatories, and Concurring Parties of DoD's decision, and further disagreement, if any, shall be addressed in

accordance with Stipulation XIII.B. The party referring the matter for resolution under Stipulation XIII.B must provide DoD with written notification of the referral within 10 days of DoD's notice of decision.

- G. DoD will provide appropriate supplementary data produced as part of identification and evaluation efforts for this Undertaking, which shall include official SHPO site/structure recordation forms and Geographic Information System (GIS) shapefiles if any are generated as part of the assessment or study, to the appropriate SHPO, ACHP, and the NPS (if a property is an NHL or if an NPS site is within the APE for direct and indirect effects for the project) upon completion of the project with the final report submission.
1. If any previously identified historic properties within the APE being investigated have been re-surveyed or additional information gathered, then DoD will update the forms for these properties consistent with the appropriate SHPO standards.
 2. The parties to this PA recognize that some of the data submitted, such as site locations in the form of maps or GIS files may contain sensitive information and are subject to the confidentiality restrictions imposed by ARPA (16 U.S.C. 470hh) and NHPA (16 U.S.C. 470w-3) and any other applicable Federal law or regulation.

V. ASSESSMENT AND RESOLUTION OF ADVERSE EFFECTS

- A. For specific projects included within the Undertaking scheduled for award in Fiscal Years 2010 and 2011, DoD has provided documentation and consulted with the SHPOs on determinations of effect, and measures to avoid, minimize and mitigate adverse effects to historic properties, as follows:

1. Fiscal Year 2010 and 2011 Projects on Guam

Data supporting the determinations of effect for the projects listed in Table E-1 of Appendix E were first submitted to the Guam SHPO in 2009. In consultation with Guam SHPO that continued through August 2010, DoD has planned these projects to avoid, minimize and mitigate adverse effects to historic properties through avoidance and site redesign. Based on this prior consultation, DoD finds:

- a. Projects P-204, P-1003, J-006, J-007, and J-008 will affect no historic properties.
- b. Projects J-001, P-100, P-101, and J-017 will have adverse effects on historic properties. Consistent with Stipulation V.B.3 below, DoD will provide data

recovery plans subject to additional review prior to taking action that could affect these historic properties.

2. Fiscal Year 2010 and 2011 Projects on Tinian

Data supporting the determinations of effect for the projects listed Table E-3 of Appendix E were submitted to the CNMI SHPO in 2009. In consultation with CNMI SHPO that continued through August 2010, DoD has planned its projects to avoid and minimize adverse effects to historic properties through avoidance and site redesign. Based on this prior consultation, DoD finds the projects identified as T-1, T-2, T-3, and T-4 will adversely affect historic properties. DoD will provide data recovery plans subject to additional review consistent with Stipulation V.B.3 below.

3. Notification of Fiscal Year 2010 and 2011 Projects

DoD will post findings for the FY2010 and 2011 projects on the CRI website.

B. All projects on Table E-2 of Appendix E will be subject to further review to provide the Signatories, Invited Signatories, Concurring Parties, and the public with sufficient information to allow DoD and the respective SHPO to consult on the determinations of effect. The consultations for these projects will be carried out on an annual basis, in a three-step process that includes the parties to the PA and the public in review of identified historic properties and assessments of effect.

1. To facilitate public involvement in the annual review process, DoD will post to the CRI website the summary memoranda (PA Memos) for public inspection for the projects proposed for that fiscal year. Consistent with the measures defined below, DoD will provide PA Memos to the public for comment prior to DoD authorization of ground-disturbing activities or other actions with the potential to adversely affect historic properties. Notice to Signatories, Invited Signatories, and Concurring Parties will be made through direct written notice.
 - a. PA Memos will contain concise summaries of project information with a map showing the project footprint and results of cultural resources review, subject to the limitations defined under Stipulation IV.E.2.b.
 - b. Notices to the public of availability of this information will be distributed per the process in Stipulation IV.E.1.a.
2. If DoD finds that either no historic properties are present or that historic properties are present but the project will have no adverse effect on those properties, DoD will provide documentation of this finding to the respective SHPO. DoD will notify the respective SHPO and make the documentation

available for public inspection prior to approving the project, consistent with the following conditions.

- a. DoD will post PA Memos documenting findings on the CRI website and will provide 30 hard copies to the appropriate SHPO for distribution to Concurring Parties or the public.
 - b. DoD will take into account comments received within 45 days of the date of delivery of PA Memos to the appropriate SHPO and public notification via the CRI website. All comments received during the comment period will be posted on the CRI website. If no comments are received, DoD will proceed consistent with its findings.
 - c. If comments are received during the 45-day review period, DoD will consult with the appropriate SHPO for an additional period not to exceed 15 days with the goal of reaching consensus on the finding of effect. If the respective SHPO and DoD cannot agree within 15 days, DoD will provide written notice to the Signatories, Invited Signatories, and Concurring Parties of DoD's decision and further disagreement, if any, shall be addressed in accordance with Stipulation XIII.B. The party referring the matter for resolution under Stipulation XIII.B must provide DoD with written notification of the referral within 10 days of DoD's notice of decision.
3. If DoD determines that a project will have adverse effects on historic properties, DoD will provide an opportunity for the parties to the PA and the public to comment on DoD's plan for resolving adverse effects.
- a. DoD will post PA Memos documenting its findings on the CRI website and via hard copy to the appropriate SHPO, and via hard copy to any other party upon request, subject to the limitations under Stipulation IV.E.2.b.
 - b. DoD will take into account comments received within 45 days of the date of delivery of the PA Memos to the appropriate SHPO and public notification via the CRI website. If no comments are received, DoD will proceed consistent with its findings.
 - c. If comments are received during the 45-day review period DoD will take the comments into account and consult with the SHPO for up to 15 additional days with the goal of reaching consensus on the resolution of effect. If the respective SHPO and DoD cannot agree within 15 days, DoD will provide written notice to the Signatories, Invited Signatories, and Concurring Parties of DoD's decision, and further disagreement, if any, shall be addressed in accordance with Stipulation XIII.B. The party

referring the matter for resolution under Stipulation XIII.B must provide DoD with written notification of the referral within 10 days of DoD's notice of decision.

4. DoD will maintain a record of findings made under this stipulation and provide information on findings to the parties to the PA and the public upon request, consistent with the confidentiality provisions under Stipulation IV.E.2.b.

C. Guam Training Ranges

In an effort to continue refining measures to avoid, minimize and mitigate adverse effects on historic properties associated with the proposed construction and operation of training ranges on Guam, DoD will consult with the Signatories, Invited Signatories, Concurring Parties, and the public regarding potential adverse effects to historic properties. The consultation will address the location, orientation, design, and operation of the ranges within any area that may be selected in the Navy's Record of Decision (ROD) for the live fire training range complex.

1. Review of the Range Location, Orientation, and Design

DoD will consult with the parties to the PA and the public to address range location, orientation, and design within any site that may be selected in the Navy's ROD for the live fire training range complex, in order to assess, avoid, minimize, and mitigate potential direct and indirect effects on historic properties. The review will include:

- a. Review and assessment of potential adverse effects on historic properties within the areas potentially adversely affected. The review and assessment will address potential direct and indirect adverse effects to historic properties, including the potential auditory effects of range operations, and will consider such options as limitation of firing exercises on weekends and holidays, the planting of indigenous trees such as the *donni sali*, *nunu*, *da'ok*, *dukduk*, *ifit* trees as a sound barrier, and other measures as may be appropriate for reducing adverse auditory effects.
 - i. DoD will provide information and documentation, pursuant to the Documentation Standards found in 36 CFR § 800.11, to the parties and the public in the same manner in which DoD will provide PA Memos pursuant to Stipulation V.B.3., and consistent with any applicable confidentiality restrictions imposed by ARPA (16 U.S.C. 470hh) and NHPA (16 U.S.C. 470w-3).
 - ii. DoD will take into account all comments received within 45 days of the date the information is made available to the public. If no comments are

received, DoD will proceed consistent with its findings. If comments are received, DoD will notify SHPO of DoD's findings and proposed response to comments, and consult for up to 15 additional days to reach agreement. If SHPO concurs with the DoD's findings, DoD may proceed consistent with its findings.

- iii. If SHPO disagrees with DoD's findings, SHPO will provide written notification to DoD within 15 days from the date SHPO received DoD's findings and proposed response to comments. The notice should include the reasons for the disagreement and SHPO's proposed resolution. DoD will take SHPO's comments into account and advise SHPO in writing of DoD's response. If the parties cannot agree, DoD will provide written notice to the Signatories, Invited Signatories, and Concurring Parties of DoD's decision, and further disagreement, if any, shall be addressed in accordance with Stipulation XIII.B. The party referring the matter for resolution under Stipulation XIII.B must provide DoD with written notification of the referral within 10 days of DoD's notice of decision.

2. Consider New Information

If new information on alternate locations for the live fire training range complex outside those assessed in the FEIS is provided by the Signatories, Invited Signatories, Concurring Parties, or the public while engaging in the review process stipulated here, DoD will review that new information and determine whether supplemental analysis is warranted under NEPA and NHPA. In determining whether new information warrants supplemental analysis DoD will:

- a. Apply the Suitability and Feasibility Criteria (SFC) defined in the FEIS to evaluate the potential viability of a new location for the live fire training range complex.
- b. If new proposals meet the SFC, DoD will conduct planning level cultural and natural resources reviews and consultation with the Signatories, Invited Signatories, Concurring Parties consistent with Stipulation V.C.1 to further assess the viability of the location.

3. Ensure Access to Pagat Village and Pagat Caves

If DoD selects an alternative for the range complex in the Route 15 area as noted in the FEIS, DOD commits to providing 24 hour a day/seven day a week unimpeded access to the Pagat Village and Pagat Cave historical sites, as part of the measures to avoid, minimize and mitigate impacts on historic properties. DoD will adjust proposed range layout plans to continue unfettered access to

these important historical and cultural locations.⁵ Pagat cave, Pagat village, and the existing path to these sites would not be included in the footprint of the complex or the surface danger zone for the ranges, and full ownership of these properties would remain with the Government of Guam.

4. Develop Range Mitigation Plan

If the Guam range review process outlined above results in a determination of adverse effect, DoD will develop a Range Mitigation Plan (RMP) stipulating measures to avoid, minimize and mitigate adverse effects, as applicable. The RMP will also include a plan for access consistent with Stipulation VI.C.2, or provisions for amending an existing access plan, to include opportunities for access to culturally sensitive locations that would be constrained by construction or operation of the proposed training ranges.

- a. DoD will provide drafts of the RMP to the Signatories, invited Signatories, and Concurring Parties. DoD will take into account all comments received from those parties within 45 days of distributing the draft language. If no comments are received during the comment period, DoD will finalize the RMP for signature.
- b. The RMP will be effective upon signature by DoD, USMC, ACHP, and SHPO.
- c. If the Signatories cannot agree on the content of the RMP, DoD will consult with the parties for an additional period of up to 15 days. If the parties cannot agree within 15 days, DoD will document its decision in writing to the Signatories, Invited Signatories, and Concurring Parties, and any remaining disagreements will be resolved in accordance with Stipulation XIII.B. The party referring the matter for resolution under Stipulation XIII.B must provide DoD with written notification of the referral within 10 days of DoD's notice of decision.

VI. GENERAL MITIGATION MEASURES

A. Mitigating Adverse Effects on Historic Properties

In the event that DoD proceeds with any project that will have an adverse effect on any historic properties as determined after following the procedures set forth in this PA, DoD will follow these general mitigation measures with respect to such projects. Mitigation measures for adverse effects on historic properties will adhere to the SOI Standards and Guidelines of for the Treatment of Historic Properties.

⁵ Navy Under Secretary Robert O. Work. Letter to the Honorable Eddie Baza Calvo, Guam Governor, February 7, 2011

1. Prior to conducting any mitigation measures, including archaeological data recovery excavations, DoD shall submit a mitigation plan to the appropriate SHPO in writing, and shall consult with the other Signatories and Concurring Parties if requested.
 - a. For archaeological sites, the mitigation plan will incorporate provisions for data recovery consistent with the ACHP's "Recommended Approach for Consultation on Recovery of Significant Information from Archaeological Sites" (Appendix F), and consistent with confidentiality restrictions imposed by ARPA (16 U.S.C. 470hh) and NHPA (16 U.S.C. 470w-3).
 - b. Data recovery excavations will be considered standard mitigation for any historic property that is strictly archaeological in nature and will be adversely impacted. Procedures under Stipulation VI.B will be followed.
 - c. Mitigation plans will include the standard operating procedures for Inadvertent Discovery for archaeological materials and human remains included in Appendices F and G of this PA.
 - d. DoD will consider comments received within 45 days of delivering a mitigation plan. If no comments are received within 45 days DoD may proceed with the project in accordance with the plan. Should SHPO disagree, the SHPO shall provide in writing to DoD the objection and any proposed revisions to resolve the objection. DoD will consult with the SHPO for an additional 15 days to resolve any disagreement. If the consultation fails to result in agreement within 15 days, DoD shall advise the Signatories, Invited Signatories, and Concurring Parties of its decision, and further disagreement will proceed in accordance with Stipulation XIII.B. The party referring the matter for resolution under Stipulation XIII.B must provide DoD with written notification of the referral within 10 days of DoD's notice of decision.

2. Data Recovery Reports

DoD shall submit reports of archaeological data recovery projects to the appropriate SHPO for a 45-day review prior to being finalized. Hard copies of final documents will be given to the appropriate SHPO to archive in their research library with the understanding that these reports may contain sensitive information

B. Public Education and Interpretation

DoD, in coordination with the Signatories, Invited Signatories, and Concurring Parties, will use the information developed or data recovered during

implementation of the mitigation plan to develop the following types of educational materials for the public.

1. An information package in booklet form in English and Chamorro, and posted on the CRI website, that includes images, a summary of the work done, including a summary of any excavations, materials and data recovered, and a statement of the significance of the site to the regional culture. 100 copies of the booklets shall be provided to the appropriate SHPO for distribution to the public. When requested by SHPO, DoD shall provide additional copies of the booklet up to a total 1,000 additional copies.

C. Enforcement of Construction Contractor Measures

Where DoD enters into a contract that involves a project for the Undertaking covered by this PA with the potential to affect historic properties, DoD will include stipulations in that contract to the effect that the contractor must follow the guidance set out in the scope of work regarding historic properties. These stipulations will incorporate pertinent portions of the PA or similar language as an enforceable part of the underlying contract consistent with the Federal Acquisition Regulations (FAR). Where applicable, the contract will include stipulations that the contractor will comply with all Guam laws including, without limitation, permitting and historic preservation laws will attach a copy of 21 Guam Code Annotated (GCA) § 76511 as an appendix to the contract.

D. Indirect Effects on Historic Properties

1. Cultural Resources Awareness

As a best management practice to reduce the potential for certain types of possible indirect adverse effects on historic properties (such as increase in population or visitation in areas where historic properties are located), DoD will conduct initial orientation briefings for all incoming DoD personnel, their families, and contractors dealing with the sensitivity of the historic properties in the area. All DoD personnel and contractors working on Guam and Tinian will receive annual briefings. DOD will develop the briefing in consultation with the appropriate SHPO and will provide SHPO with a copy of the final briefing paper.

2. Access to Historic Properties on DoD Lands

In recognition of the significance that many historic properties located within DoD installations have to various cultural and historical groups and organization on Guam and the CNMI, and acknowledging that restrictions on access to historic properties may constitute indirect effects, DoD will manage public access to historic properties as outlined below.

- a. Access Plans. For DoD-controlled lands on Guam and Tinian, DoD will develop plans for regular public access to historic properties. These plans will be developed in coordination with the Signatories, Invited Signatories, Concurring Parties, and interested public. The access plans will address considerations including but not limited to public interest, public safety concerns and protocols, installation security, emergency situations and standard operating procedures, and contact information for the Access Plan Coordinator (APC). DoD will initiate discussions with the parties to the PA and the public to develop access plans within 120 days from the effective date of this PA.
 - i. Input received through coordination with the public and interested parties, combined with observations of previous use/attendance of the area, will be used by DoD to develop the access plans. Factors such as special requirements or optimal times for specific activities (such as *suruhanus* collecting their medicinal plants) and for groups and individuals who have a historical connection to a particular traditional cultural property or historic site, and groups and individuals who have a scientific and educational need to study these areas will be integrated into the access plans.
 - ii. DoD commits to provide escort support on an as-needed basis to facilitate visitation to historic sites on DoD property on Guam, subject to public safety and base security requirements. The DoD access plans will identify opportunities for access to historic sites in a tiered process commensurate with site-specific characteristics, such as difficulty of terrain and resource sensitivity. For sites more difficult to reach or involving special safety and security considerations, DoD will require escorted access upon advance notification; for sites easier to reach, DoD will provide less restrictive access procedures, including possible unescorted access and shorter advance notice. The tiered access process and escort commitments will be finalized in the access plan and updated annually based on experience and public feedback.
 - iii. Once the access plans are completed, DoD will provide a copy to the appropriate SHPO, publish the plans at local libraries and post the plans on the CRI and DoD websites. Further, DoD will notify the public of available access to DoD controlled lands through mass media (such as local newspaper, radio, television, internet) on a regular basis. Notice to Signatories, Invited Signatories, and Concurring Parties will be made through direct written notice. DoD will review the access plans for possible amendment with the Signatories, Invited Signatories, Concurring Parties and interested public no more frequently than on an annual basis if a request is made.

- iv. Reasonable efforts will be made to accommodate access outside of established access hours noted in the access plan for cultural purposes, scientific investigation, and educational opportunities. Requests outside the established access hours will be considered in light of military operational requirements, anti-terrorist/force protection security conditions, and current DoD and installation security instructions and other guidelines.
 - b. To facilitate timely responses for access requests and publications of general access notifications, DoD will designate an individual on the staff of Joint Region Marianas to serve as the APC for this PA.
 - c. Should the sufficiency of access be disputed by any parties to the PA or the public, the disputing party(ies) may submit a description of the concern in writing to the APC. Within 7 days, the APC will contact the parties involved to develop a plan for addressing the dispute. If necessary, the APC will coordinate with the CRM, CJRM, and the concerned party(ies) and will attempt to resolve the dispute. If the dispute cannot be resolved, the APC and CRM will consult with the disputing party(ies) for up to 15 days to attempt to resolve the concern. The results of such dispute resolution efforts will be included in the reporting described below in Stipulation XII.
 3. In recognition of culturally important natural resources, highly forested areas were avoided during the early planning process for the Undertaking. However, in places where impacts cannot be avoided to such resources, DoD will coordinate with the appropriate SHPO and Concurring Parties to contact traditional natural healers, herbal practitioners and healers, and traditional artisans and provide them an opportunity to safely collect these resources consistent with applicable DoD and installation security instructions and other safety related guidelines.
 4. If *suruhanus* request installation access for medicinal plant collection, DoD will afford access consistent with applicable DoD and installation security instructions and other safety related guidelines for individuals that practice traditional healing methods and allow medical plant collection if the plants collected are not threatened or endangered species. All such requests for access, allowances of access, and methods or manners of access will be conducted in accordance with the access plans discussed in VI.C.2 above.
- E. Cumulative Effects on Historic Properties

DoD recognizes that the projects comprising the Undertaking, when combined with other reasonably foreseeable projects conducted by DoD, other federal agencies, and other public, private, and SPE entities may have cumulative effects on historic

properties on the islands of Guam and Tinian, inclusive of historic properties on private, public, or other federal agency lands. The specific measures to mitigate cumulative effects resulting from the Undertaking are outlined in Stipulations VII and VIII below.

F. Professional Oversight

DoD will retain a full-time Archaeologist throughout the life of the construction program of this Undertaking to provide site checks, oversee coordination and execution of the archaeological mitigation measures in the PA and to provide quality control. This person shall support the CJRM in responding to and reporting of any inadvertent discoveries to the Signatories, Invited Signatories, and Concurring Parties per Stipulation XII.

G. Update of Guam Historic Properties Information

DoD will update the Guam Historic Properties Inventory data form for all historic properties on Appendix E, as amended. Additionally, DoD will update existing Guam Register of Historic Places and National Register of Historic Places nomination documents for all DoD properties in coordination with Guam SHPO.

VII. PROJECT OR AREA-SPECIFIC MITIGATION FOR GUAM

A. The following mitigation will be conducted for those specific projects within the Undertaking whose effects cannot be avoided. As previously noted, DoD will coordinate with the Signatories, Invited Signatories, and Concurring Parties to identify additional means of avoiding or minimizing adverse effects to historic properties.

B. Mitigation for Direct and Indirect Effects for Known Historic Properties

1. Naval Base Guam - South Finegayan Naval Housing

DoD will preserve and protect South Finegayan Naval Housing Latte Stone Park (Site 66-08-0811) from potential indirect adverse effects by placing informational signage within the existing interpretive kiosk located near the site. DoD will contract the design and installation of the signage. Guam SHPO will review the contents of the signage prior to installation.

2. Naval Munition Site (NMS)

DoD will ensure that NMS access activities conducted as part of the Undertaking will not change the routes or configuration of the existing access trail for the Southern Mountains (Mount Lamlam and Mount Humuyong Manglo). DoD access activities are expected to occur approximately one week

per month when DoD personnel use the trail to hike in and out of the NMS area. However, the trail will be open to pedestrians during all other times when the route is not in use by DoD, including the annual Good Friday procession. Pedestrian use of the trail by the DoD will not be addressed as a potential adverse effect to the viewshed of the Southern Mountains.

C. Mitigation for Cumulative Effects

1. In recognition that projects included within the Undertaking, combined with other DoD, federal agency, private, public, and SPE activities on the Island of Guam may have collective or cumulative effects on historic properties, DoD will complete as mitigation the programmatic measures listed in parts C.2 through C.4 of this Stipulation.
2. Update of Guam Comprehensive Historic Preservation Plan and Guam Synthesis Study

Guam SHPO has requested that DoD support SHPO's update to the 2012 Guam Historic Preservation Plan (GHPP) in accordance with SOI Standards and Guidelines for Preservation Planning as part of its five-year planning cycle and continue to do so every 5 years for the life of this agreement. Subsequent to completing the 2012 GHPP, DoD will prepare a stand-alone Guam Synthesis Study, and will subsequently update the Guam Synthesis with information from DoD studies in concert with the GHPP starting in 2017. For both the GHPP and the Guam Synthesis Study, DoD will synthesize data from inventory and evaluation efforts completed for the Undertaking with existing data available in reports, recordation forms, maps, and other archival sources on Guam and provide the information to the Guam SHPO. Data provided by DoD will supplement the existing historic and prehistoric contexts and provide baseline information on the status of identification and evaluation efforts on Guam.

3. National Register Nominations

As part of its compliance responsibilities under Section 110 of the NHPA, DoD will nominate two or more historic properties on DoD lands on Guam or listing on the National Register of Historic Places per year for as long as this PA is in effect per Stipulation XVII, or until all historic properties on DoD lands have been nominated. DoD will consult with the Guam SHPO to determine priorities for nomination.

4. Guam Museum Measures

DoD is committed to implementing measures to mitigate cumulative effects on historic properties that may result from this Undertaking. DoD commits to implement the following measures:

- a. DoD recognizes that a Guam Cultural Repository facility would provide a repository for curation of archaeological properties on Guam and serve as a source of information on Guam history and culture. DoD supports the recommendation of the Economic Adjustment Committee (EAC) for construction of a 20,000 square foot curation facility to provide critically needed curation capacity to the Government of Guam. Construction of the facility will supplement and enhance other measures set out in this document to avoid, minimize, and mitigate potential adverse cumulative effects of the Undertaking. Therefore, as submitted in the President's FY 2012 budget, consistent with the recommendation of the EAC, DoD commits to seeking Congressional authorization and appropriation to transfer DoD funding to another federal agency with authority to support the construction of a Guam Cultural Repository.
- b. In addition to the Guam Cultural Repository facility addressed above, DoD will also advocate to other Federal agencies to fund a complete museum complex on Guam to house and display Guam's unique cultural artifacts for the public's benefit.
- c. Should Congress not authorize the transfer referenced above in the FY 2012 budget, DoD will reinitiate consultation with the parties to this PA to address this aspect of proposed mitigation of cumulative effects. Within 30 days of receiving confirmation that the appropriation has not been authorized, DoD will resume discussions with the parties to this PA to consider alternate funding methods to support construction of a Guam Cultural Repository, with the intent to resolve this issue within 90 days of the start of those discussions. Alternatives that will be reviewed will include, but not be limited to, considering construction of comparable facilities on DoD lands or obtaining a DoD property interest on mutually agreed upon site for construction, in accordance with Section XIII of this PA.
- d. DoD will conduct an inventory of DoD records in consultation with the Guam SHPO and the Department of Chamorro Affairs (the Guam Museum) to identify cultural materials removed from Guam to other locations throughout the United States. DoD will provide Guam SHPO with the Curation Assessment produced under Stipulation X.C of this agreement and will commit to return all Guam collections within DoD control to Guam for curation, consistent with Stipulation X.

D. National Park System on Guam

DoD will continue to coordinate with the NPS to determine the potential indirect adverse effects associated with the Undertaking on historic properties within the National Park System on Guam, including properties comprising the War in the

Pacific National Historical Park. To assess these effects, DoD will provide NPS with the data compiled under item C.2 of this Stipulation as baseline information. If project reviews during the Annual Workshop, (Stipulation XII.B.) lead to the identification of adverse effects in the future, then DoD, in coordination with the Signatories, Invited Signatories, and Consulting Parties will develop appropriate mitigation measures based on the evaluation and resolution of effects.

VIII. PROJECT OR AREA-SPECIFIC MITIGATION FOR TINIAN

- A. The mitigation measures listed in parts B and C of this Stipulation will be implemented for those specific projects within the Undertaking on the Island of Tinian for which direct and indirect effects to historic properties cannot be avoided. As previously noted, DoD will work with the CNMI SHPO, Signatories, Invited Signatories, Concurring Parties, and the public to identify additional means of avoiding or minimizing adverse effects to historic properties.
- B. Mitigation for Direct and Indirect Effects
 1. A Cultural Landscape Report (CLR) for the Tinian NHL detailing its history and significance through time has been completed. The CLR is the most recent research and analysis of the historic character of the landscape of the NHL and its larger setting, and thus augments the existing management plan for the NHL. DoD has provided copies of the final CLR to NPS and CNMI SHPO. DoD will implement recommendations from the CLR that do not conflict with current range safety, range management, or natural resources requirements. DoD will consult with NPS and CNMI SHPO to determine appropriate cooperative measures for managing the NHL, including updating the nomination. Within 90 days of the effective date of this PA, DoD will consult with NPS and CNMI SHPO to develop a cooperative agreement to support appropriate measures to maintain access to NHL contributing elements.
 2. Data Recovery
 - a. Although historic records indicate that the remains in the Camp Churo/Chulu also known as "Old Village" cemetery (Site TN0034) were moved, a Ground Penetrating Radar study of the former cemetery will be conducted prior to range construction. The CNMI SHPO will have 45 calendar days to review the work plan prior to the start of the study.
 - b. If the CNMI SHPO disagrees with the work plan, the CNMI SHPO shall advise the CRM in writing of the reasons for the disagreement within 45 calendar days from receipt of the plan; otherwise, DoD can proceed with the project in accordance with the plan.

- i. If remains are discovered, then the applicable Standard Operating Procedures (SOP) specified in Appendix G will be followed. The CNMI SHPO and other Concurring Parties shall have 45 calendar days to review the report detailing the results of the study before it is finalized.
 - ii. If the CNMI SHPO or Concurring Parties disagree with the report, the CNMI SHPO shall advise the CRM in writing of the reasons for the disagreement within 45 calendar days from receipt of the report; otherwise, concurrence may be presumed. DoD will take into account any timely objections in finalizing the report.
 - iii. DoD will provide one hard copy and one electronic copy of the final report to the CNMI SHPO.
- c. Archaeological data recovery excavations will be completed for any historic properties (Sites TN0002, TN0034, TN606, TN0619, 5007, 5009, 5011, 5012, 5022) subject to direct adverse effects by the Undertaking (see Stipulation VI.A). These data shall be synthesized into a series of publications as defined in Stipulation VIII.B.3.

3. Publications

- a. DoD will consult with the CNMI SHPO to develop the format of a Thematic Synthesis that will be generated from information gathered from data recovery efforts in the area of the proposed ranges on Tinian. Optimally, three thematic publications, for Camp Churo/Chulu, Japanese Farmsteads, and West Field will be produced. However, if the information recovered for these properties is not sufficient for volumes, a single combined synthesis will be completed.
 - i. DoD will provide copies of the synthesis to the CNMI SHPO and other consulting parties who request to review the document. These parties shall have 60 calendar days to review the document(s) before they are finalized. If the CNMI SHPO and Concurring Parties disagree with the document, the CNMI SHPO and Concurring Parties shall advise the CRM in writing of the reasons for the disagreement within 60 calendar days from receipt of the plan; otherwise, concurrence will be presumed 60 calendar days after submission of the documents to the CNMI SHPO and Concurring Parties. DoD will take into account any timely objections in finalizing the report.
 - ii. The publication(s) will consist of a glossy soft cover booklet(s) or similar format. DoD will produce a total of 300 hard copies that will be divided between the NPS and CNMI SHPO for dissemination to various other institutions (such as local high schools or community colleges) or

agencies that promote the history and culture of the CNMI. A master digital version for reprints or for posting on the Internet will be provided to both the NPS and the CNMI SHPO.

- b. DoD will update the Navy's Self-Guided Tour of Historic North Tinian pamphlet based on ideas and suggestions gathered during public consultation meetings held on Tinian and Saipan in 2009 and information compiled within the Tinian CLR.
 - i. DoD will provide copies of this document to the CNMI SHPO and other consulting parties who request to review the document. These parties shall have 60 calendar days to review the document before it is finalized. If the CNMI SHPO and Concurring Parties disagree with the document, the CNMI SHPO and Concurring Parties shall advise the CRM in writing of the reasons for the disagreement within 60 calendar days from receipt of the plan; otherwise, concurrence may be presumed.
 - ii. A total of 1000 hard copies of the pamphlet will be produced and provided to the NPS and CNMI SHPO for dissemination to various other institutions (such as the Visitor's Bureau) or agencies that promote the history and culture of the CNMI. A master digital version for reprints or for posting on the Internet will be provided to both the NPS and the CNMI SHPO. The CRM in charge of an installation will receive 500 of the hard copies of the pamphlet.
 - c. In addition, DoD will prepare a training module subject to review by the SHPO, for training of individuals doing work on Tinian for the Undertaking, in order to increase awareness and sensitivity. The module shall be required training for DoD personnel and contractors.
4. Access to Military Leased Lands in North Tinian
- a. In developing the design of the proposed training ranges on Tinian, DoD will site the ranges in such a way that would allow Eighth Avenue to remain open. This proposed range configuration will allow the public access to the historic properties located in North Tinian including the Tinian NHL even when the new ranges described in the FEIS are in use. Broadway Avenue will remain open when the new ranges are not in use. DoD does not currently have an alternative access plan for those periods when Eighth Avenue or Broadway Ave are impassable due to rain, but agrees to work with the CNMI SHPO and NPS to provide suitable alternatives.

C. Cumulative Effects Mitigation

1. DoD is committed to implementing measures to mitigate cumulative effects on historic properties that may result from the Undertaking. In recognition that the Undertaking, combined with other DoD, federal agency, private, and public actions on the Island of Tinian may have collective or cumulative effects on historic properties, DoD will complete as mitigation the programmatic measures listed in subparts C.2 and C.3 below:
2. National Register Nominations
 - a. As part of its compliance responsibilities under Section 110 of the NHPA, DoD will help the CNMI SHPO nominate one or more historic properties on DoD controlled lands on Tinian for listing on the National Register of Historic Places per year, as long as this PA is in effect per Stipulation XVII or until all historic properties on DoD lands are listed, whichever comes first.
 - b. DoD will coordinate with the NPS to update the Tinian NHL historic district, based on the results of the Tinian CLR.
3. Other Measures

DoD recognizes the importance of a permanent CNMI curation facility on Saipan and a cultural and interpretive center on Tinian to display artifacts recovered from sites on Tinian. Therefore, DoD will seek to include as part of upcoming presidential budget submission a request for Congressional authorization and appropriation to transfer a total of \$1.7 million in DoD funds to another federal agency with authority to support new construction or renovation of existing buildings as follows:

- a. \$1.2 million to construct or rehabilitate an appropriate permanent curation facility on Saipan meeting the requirements of 36 CFR part 79. Such a facility would provide a critically needed repository for archaeological collections and related information on historic properties that can highlight and educate the public on cultural resources.
- b. \$500,000 to support new construction or renovation of an existing building as selected by the Mayor of Tinian for use as a cultural and interpretive center on Tinian. This type of facility would provide a valuable opportunity to interpret information on historic properties and serve to highlight and educate the public on Tinian's history.
- c. Should Congress not authorize such appropriations or transfer of authority, within thirty (30) days of receiving confirmation that the appropriation has

not been authorized DoD will reinitiate discussions with the parties to this PA to address mitigation of cumulative effects. DoD will consult with the parties to consider resubmission of the request or other measures with the intent to agree on an alternate plan for the mitigation within ninety (90) days of the start of those discussions, or in accordance with Stipulation XIII of this document.

IX. SHPO CAPACITY

- A. DoD recognizes that the additional workload associated with the Undertaking and its effects may exceed current capacity of the Guam and CNMI SHPOs to carry out their responsibilities under Guam and CNMI law, the NHPA and this PA. DoD is unable to directly fund Guam and CNMI SHPO responsibilities, but commits to work cooperatively with the SHPOs to reduce workload.
1. DoD will designate two liaisons, one at each Guam and CNMI SHPO office, who are experienced in the Section 106 process, to serve as the principal point of contact and to assist with coordination, communication, and documentation preparation and review during the construction phase associated with the Undertaking. The liaisons shall be full-time personnel and duty-stationed at the SHPO offices no less than 20 hours per week. These individuals shall be responsible for ensuring that all DoD requests for review and/or concurrence by the SHPO staff are sufficiently documented by DoD per 36 CFR §800.11(e) and (f). In addition, the liaisons shall consolidate and coordinate DoD cases for SHPO review. If at any time either SHPO identifies a significant shortfall in liaison support and notifies DoD in writing, DoD agrees to consult with the SHPO to provide additional support or to adjust the pacing of project submittals, as jointly agreed to meet the DoD workload. The SHPOs and DoD will cooperate to provide suitable work spaces for the liaisons.
 2. If DoD and the SHPO disagree on whether additional liaisons are required, either DoD or the SHPO may refer this matter for resolution under Stipulation XIII.B.
 3. DoD will equip the liaisons with a computer and GIS software, and other necessary items and supplies to expand the Guam and CNMI SHPOs' ability to incorporate GIS data in their own management systems. While DoD cannot supply the SHPOs with GIS software, DoD can provide viewer access to GIS data associated with DoD projects to assist the SHPOs' overall capacity for managing their cultural resources data.
 4. In coordination with the Guam and CNMI SHPOs, DoD will conduct annual reviews to assess the effectiveness, utilization, and planning of future requirements for the liaison positions and associated resources.

- B. DoD also commits to support in writing any appropriate request to Congress by the SOI to increase the appropriations for the Historic Preservation Fund (HPF) and will encourage the NPS in writing to review the allocation of funds from the HPF to the Guam and CNMI SHPO in light of the increased workload.

X. CURATION

- A. Curation for those archaeological collections generated as a result of the studies completed for this Undertaking or as a result of data recovery activities will be undertaken in accordance with the terms of 36 CFR part 79 and the stipulations listed in parts B through D of this Stipulation.

- B. Curation of Materials Found in Guam: Lands Held by DoD Under Less than Fee Simple Ownership

- 1. All archaeological materials (artifacts, midden, ecofacts, manuports, etc.) collected during the course of the Undertaking from lands held by DoD under less than fee simple ownership on Guam shall, consistent with federal law, be transferred to the Guam Cultural Repository facility, once it is constructed, and before construction to the Guam Museum, either in its current leased location or in its new facility once it is constructed, for curation pursuant to Guam law. DoD will negotiate an appropriate fee structure for curation of the collections. Should the Guam Museum or the Guam Cultural Repository facility be unable to accept the materials, the agreement for curation of materials collected on DoD lands (per X.C below) shall apply.

- C. Curation of Materials Found on Guam: Lands Owned by DoD

- 1. Curation Assessment

A project to assess the current state of DoD archaeological collections on Guam with a specific emphasis on areas that will be affected by the Undertaking is in progress by DoD. A draft of the report will be provided to the Signatories, Invited Signatories, and Concurring Parties when it is complete. The study will predict the amount of curation space that will be needed for the archaeological collections generated by the Undertaking, and will provide information on the condition of existing DoD collections, the current and future capacity of curation facilities on Guam and how well those facilities meet the standards of 36 CFR part 79.

- 2. Curation Facility

Based on the results of the Curation Assessment completed per Stipulation X.C.1, DoD will select the appropriate repository location(s) on Guam meeting the standards of 36 CFR part 79 for archaeological materials collected during

the Undertaking. Where applicable, DoD will pay negotiated fees for curation of the collections.

- a. DoD will provide for curation of collections generated by the Undertaking on Guam at appropriate curation facility(ies) and maintain control of the materials until a permanent, consolidated curation facility meeting the standards of 36 CFR part 79 is available. If DoD facilities are inadequate to properly curate the materials, DoD will negotiate an agreement and appropriate curation fees with NPS for the use of its facility for temporary storage.
- b. When Guam has completed construction of a curation facility meeting the standards of 36 CFR part 79, DoD will transfer its collections to the Guam Cultural Repository facility and enter into a cooperative agreement with Guam for the purpose of curating the collections at that facility on behalf of DoD. DoD will pay negotiated fees for curation of the collections.
- c. If, after five years, the Guam Museum has been unable to provide a permanent curation facility, DoD will construct a federal curation facility on lands in which DoD has a real property interest to house collections from DoD lands. Depending on where it is constructed and how construction is funded, this facility could also house collections from other federal agencies. The facility would be designed and staffed to meet the standards of 36 CFR part 79 and shall be publicly accessible for education, scientific and research purposes.

D. Curation of Materials Found on Tinian

1. Curation Assessment

A project to assess the current state of DoD archaeological collections in the CNMI with a specific emphasis on areas that will be affected by the Undertaking is in progress. A draft of the report will be provided to the Signatories, Invited Signatories and Concurring Parties when it is complete. This study will address the archaeological collections that may be generated by the Undertaking from lands on Tinian, the condition of existing DoD collections, the current and future capacity of curation facilities in the CNMI, and how well those facilities meet the standards of 36 CFR §79.

2. All archaeological materials (artifacts, midden, ecofacts, manuports, etc.) collected during the course of the Undertaking on Tinian shall, consistent with federal law, be transferred to the CNMI Museum for curation. DoD will enter into a cooperative agreement with the CNMI Museum within 90 days of the effective date of this PA for preparation and accessioning of the collections.

3. DoD will negotiate with the CNMI Museum to develop an appropriate fee structure for the curation of the collections resulting from the Undertaking in the CNMI, which the CNMI Museum may use to address its curation capacity.
4. Under an appropriate loan agreement with the CNMI Museum, display quality artifacts will remain on Tinian for tourism displays and educational purposes.

XI. DISCOVERIES AND EMERGENCIES

- A. As noted in Stipulation VI.E above, a DoD Archaeologist will monitor ground disturbing projects with the potential to affect historic properties, oversee coordination and execution of the mitigation measures outlined in the PA, and provide quality control. The Archaeologist will be responsible for supporting the CJRM in managing any inadvertent discoveries and emergencies consistent with the procedures defined below. If during the performance of the Undertaking, previously unknown archaeological sites are discovered and are not accounted for in an archaeological monitoring plan, then:
 1. Any activities within the immediate area will be halted, and reasonable measures will be taken to avoid or minimize impacts to the discovery pending further review under subpart 2 of this Stipulation.
 2. The DoD Archaeologist will evaluate the discovery to assess potential effects. DoD will determine what actions can be taken to resolve adverse effects, if any, and notify the appropriate SHPO and ACHP within 48 hours. The notification shall describe DoD's assessment of National Register eligibility of the property and proposed actions to resolve the adverse effects, if any are identified. The SHPO and the Council shall respond within two working days of the notification. DoD shall take into account their recommendations regarding National Register eligibility and proposed actions, and then carry out appropriate actions. DoD shall provide the SHPO and ACHP a report of the actions when they are completed.
 3. Should any discoveries be evaluated as eligible for listing on the NRHP and preserved in place, then management of such historic properties will be incorporated in the next annual revision of the ICRMP developed in consultation with the appropriate SHPOs, and their locations plotted on the installation GIS and provided for use in the SHPO's GIS.
- B. If during any part of the Undertaking, human remains are discovered, the applicable Standard Operating Procedures specified in Appendix G shall be followed.
- C. In the event that natural disasters (such as typhoons or tidal waves), fires, sudden disruptions of utilities service, spill events or other emergency events occur, the appropriate CRM may take immediate actions to preserve life and property without

appropriate review under this PA prior to carrying out such emergency actions. However, emergency response work will take into consideration that historic properties may be affected by recovery or emergency efforts. When possible, such emergency actions will be undertaken in a manner that does not foreclose future preservation or restoration of historic properties. The CRM will notify the appropriate SHPO by telephone of the emergency and will follow up with written documentation if any historic properties were discovered or disturbed by the emergency efforts. Consultation under this PA with the appropriate SHPO will be conducted as soon as practical based on the emergency circumstances.

XII. REVIEW

- A. In December and June of each calendar year after the PA is executed, or on an alternate schedule agreed to by the Signatories and Concurring Parties should projects be delayed, DoD shall prepare a report itemizing the review activities carried out pursuant to this PA. These reports shall be provided to the Signatories and Invited Signatories and to the Concurring Parties upon their request. The report shall consist of eight sections noted as follows:
1. Section I shall include a list of all individual projects (as identified in Stipulation V.A) completed within the six-month reporting period that were determined to qualify for findings of No Historic Properties Affected or No Adverse Effect on Historic Properties. This list shall include the date of approval by the CRM and description of the project scope.
 2. Section II shall include a list of all individual projects (Stipulation V. completed within the six months for which supplemental consultation under this PA has been conducted, including the determination of effect and any mitigation measures identified.
 3. Section III shall include any additional coordination under this PA initiated (Stipulations I.D and I.E) within the past six months as a result of changes or additions to the Undertaking. DoD shall provide a summary showing the project name, date of adverse effect notification and status of consultation.
 4. Section IV will provide a summary of progress on the implementation of mitigation measures specified in Stipulations VI, VII and VIII.
 5. Section V will include a list of projects to be completed in the next reporting period, including the determination of effect and any mitigation measures required.
 6. Section VI shall include maps showing the project areas and DoD project numbers, as well as any portions of the APE where sensitivity designations have been changed as a result of further identification and evaluation efforts

7. Section VII of this annual report shall include the results of all dispute resolution efforts under Stipulation XIII.
8. Section VIII of this report will provide summary data about public access from the Access Plan.

B. SHPO Review

Within 30 days after the semi-annual reports are issued, DoD will meet with each SHPO to discuss the semi-annual reports, PA implementation, and any adjustments that may be needed. At the meeting with Guam SHPO, DoD will also make available a summary of GHPI site numbers and locations associated with activities during the reporting period.

C. Annual Workshops

DoD will conduct annual workshops on Guam and the CNMI to review the documentation and projects that have been conducted during the year and to allow Signatories, Invited Signatories, Concurring Parties, and additional Parties (as identified) to discuss how well the PA is working. DoD shall document these discussions in minutes distributed to the parties, and shall take these discussions into account as appropriate. Parties will be provided opportunities to participate in this meeting via conference call, video teleconference (VTC), or in person. DoD will not be responsible for funding the attendance costs of any non-DoD participants.

XIII. RESOLVING OBJECTIONS

- A. Should a Signatory object to actions carried out or proposed with respect to the implementation of this PA not subject to prior resolution efforts under Stipulations IV, V, and VI, the objecting party shall provide all other Signatories, Invited Signatories, and Concurring Parties with written documentation of the objection. The parties will consult, as appropriate, for up to 45 days to resolve the objection.
 1. If agreement is reached, DoD will summarize the resolution and provide the information to the Signatories, Invited Signatories, and Concurring Parties.
 2. If agreement is not reached, DoD will refer the matter to ACHP consistent with subpart B of this Stipulation.
- B. Objections referred through processes defined under Stipulations IV, V, and VI, or those not resolved through discussions among the parties within the 45-day dispute resolution process defined under subpart A above, shall be addressed as follows.

1. Exceptions

If the dispute involves the National Register eligibility of a property, DoD may elect to submit the matter to the Keeper of the National Register, consistent with 36 CFR §60.9.

2. Continuing Actions

- a. DoD may provide the parties to the PA with information regarding actions DoD believes could continue without interfering with the dispute resolution process.
- b. Within 15 days of receiving DoD's plan for continuing action, the ACHP will provide comments on DoD's plan.
- c. DoD will take ACHP comments into account, notify the parties to the dispute of DoD's decision on possible continuing actions, and proceed accordingly.

3. Resolution Process

- a. DoD shall forward relevant documentation to the ACHP with DoD's proposed resolution.
- b. Within 30 days of receiving DoD's proposed resolution, the ACHP shall:
 - i. Concur with the DoD's proposed resolution; or
 - ii. Provide the DoD with recommendations on the proposed resolution.
- c. Within 30 days of receiving comments from the ACHP, DoD shall:
 - i. Take into account ACHP's recommendations in making a final decision on the matter; and
 - ii. Provide written documentation of DoD's decision to the Signatories, Invited Signatories, Concurring Parties, and the public; and proceed consistent with its decision.
- d. If the ACHP has not responded within 30 days, DoD shall provide written documentation of DoD's decision to the Signatories, Invited Signatories, Concurring Parties, and the public and proceed with its decision.

XIV. AMENDMENT

- A. Any of the Signatories may propose amendments to this PA as outlined in Items B and C of this stipulation.
- B. Written notice must be sent to all Signatories by the Signatory proposing to amend the PA. The request will include the proposed amendment(s) with justification. The Signatories involved shall then consult to consider the proposed amendment.
- C. Amendments must be approved by all Signatories prior to adoption and shall take effect upon signature by all Signatories.

XV. TERMINATION

- A. Any of the Signatories may propose to terminate this PA.
- B. Termination with an individual SHPO shall only terminate the application of the programmatic agreement within the jurisdiction of the SHPO electing to terminate.
- C. The termination process starts when a Signatory provides written notice the other Signatories, Invited Signatories, and Concurring Parties of its intent to terminate. Termination shall take effect no less than 30 days after this notification. The notice must explain in detail the reasons for the proposed termination. The PA will be terminated at the end of the 30-day period unless the parties agree to longer period of consultation.
- D. If the PA is terminated, DoD will notify all parties to the PA of its plan for complying with Section 106 for the remainder of the Undertaking and request the ACHP to comment within 45 days.
- E. DoD will take into account comments provided by the ACHP within 45 days, prior to making a final decision on how to comply with Section 106 for the remainder of the Undertaking in the absence of a PA.

XVI. ANTI-DEFICIENCY ACT

- A. The Anti-Deficiency Act, 31 U.S.C. §1341, prohibits federal agencies from incurring an obligation of funds in advance of or in excess of available appropriations. Accordingly, the parties agree that any requirement for obligation of funds arising from the terms of this agreement shall be subject to the availability of appropriated funds for that purpose, and that this agreement shall not be interpreted to require the obligation or expenditure of funds in violation of the Anti-Deficiency Act.

- B. If compliance with the Anti-Deficiency Act alters or impairs DoD's ability to implement the stipulations of this PA, DoD shall conduct supplementary consultation under the PA with the Signatories, Invited Signatories, and Concurring Parties. If an amendment is necessary, then Stipulation XIV shall be followed.

XVII. DURATION

This PA shall become effective upon execution by all Signatories and shall remain in effect until all projects associated with the Undertaking are completed or within 20 years from the date of execution (whichever occurs first), unless the PA is terminated prior to that in accordance with Stipulation XV.

EXECUTION AND IMPLEMENTATION of this Programmatic Agreement satisfies DoD Section 106 responsibilities for the Undertaking, affords the ACHP a reasonable opportunity to comment, and takes into account the effects to historic properties on Guam and Tinian.

This Programmatic Agreement may be executed in counterparts, each of which shall constitute an original, and all of which shall constitute one and the same agreement.

Each of the undersigned certifies that they are authorized to bind the party they represent for purposes of entering into this agreement, consistent with their roles as defined under Stipulation I.C of this PA.

LIST OF SIGNATORIES

For the Department of Defense, Joint Region Marianas, United States Navy
Rear Admiral Paul J. Bushong

For the United States Marine Corps
Brigadier General John J. Broadmeadow

For the Advisory Council on Historic Preservation
John M. Fowler, Executive Director

For the Guam State Historic Preservation Office
Lynda Bordallo Aguon, State Historic Preservation Officer

For the Commonwealth of the Northern Mariana Islands State Historic Preservation Office
Melvyn L.O. Faisao, State Historic Preservation Officer

SIGNATORY

FOR THE DEPARTMENT OF DEFENSE REPRESENTATIVE
JOINT REGION MARIANAS/UNITED STATES NAVY

By: Paul J. Bushong Date: 09 March 2011

Paul J. Bushong
Rear Admiral, US Navy
Department of Defense Representative Guam, Commonwealth of the Northern Mariana
Islands, Federated States of Micronesia and Republic of Palau;
Commander, Joint Region Marianas

SIGNATORY

FOR THE UNITED STATES MARINE CORPS

By:  Date: 10 Mar 11

John J. Broadmeadow
Brigadier General, United States Marine Corps
Deputy Commanding General, Marine Corps Forces Pacific

SIGNATORY

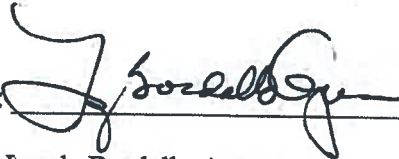
FOR THE ADVISORY COUNCIL ON HISTORIC PRESERVATION

By: John M. Fowler Date: 3/14/11

John M. Fowler
Executive Director

SIGNATORY

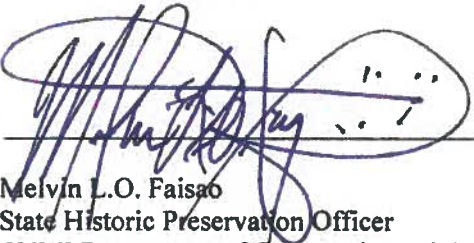
FOR THE GUAM STATE HISTORIC PRESERVATION OFFICE

By:  Date: 3/9/11

Lynda Bordallo Aguon
State Historic Preservation Officer
Guam Department of Parks and Recreation

SIGNATORY

FOR THE COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS HISTORIC
PRESERVATION OFFICE

By:  _____ Date: 03/11/2011

Melvin L.O. Faisao
State Historic Preservation Officer
CNMI Department of Community and Cultural Affairs

INVITED SIGNATORY

FOR THE UNITED STATES ARMY

By: _____ Date: _____

Jeffery L. Underhill
Brigadier General, United States Army
Commanding General, 94th Army Air & Missile Defense Command
United States Army Pacific

INVITED SIGNATORY

FOR THE UNITED STATES AIR FORCE

By: _____ Date: _____

John W. Doucette
Brigadier General, United States Air Force
USAF Commander, 36th Wing

INVITED SIGNATORY

FOR THE NATIONAL PARK SERVICE

By: _____ Date: _____

Christine S. Lehnertz
Regional Director, Pacific West Region
National Park Service

INVITED SIGNATORY

FOR THE DEPARTMENT OF TRANSPORTION

By: _____ Date: _____

Abraham Wong
Division Administrator
Federal Highway Administration, Hawaii Division

CONCURRING PARTY

FOR THE CHAMORRO TRIBE

By: _____ Date: _____

Frank J. Schacher, Tribal Chairman

CONCURRING PARTY

FOR THE DEPARTMENT OF CHAMORRO AFFAIRS

By: _____ Date: _____

Joseph Cameron
President

CONCURRING PARTY

FOR FUETSAN FAMALAO'AN

By: _____ Date: _____

Therese Terlaje

CONCURRING PARTY

FOR THE GUAM BOONIE STOMPERS

By: _____ Date: _____

Ed Feeley
Vice-President

CONCURRING PARTY

FOR THE GUAM LEGISLATURE

By: _____ Date: _____

Hon. Judith T. Won Pat
Speaker, 31st Guam Legislature

CONCURRING PARTY

FOR THE GUAM MUSEUM

By: _____ Date: _____

Anthony Ramirez
Museum Curator

CONCURRING PARTY

FOR THE GUAM PRESERVATION TRUST

By: _____ Date: _____

Joseph E. Quinata
Chief Program Officer

CONCURRING PARTY

INTERESTED INDIVIDUAL

By: _____ Date: _____

Thomas King, Ph.D.

CONCURRING PARTY

FOR NASION CHAMORU

By: _____ Date: _____

Danny "Pagat" Jackson
Maga'Lahi

CONCURRING PARTY

FOR THE NATIONAL TRUST FOR HISTORIC PRESERVATION

By: _____ Date: _____

Anthea Hartig, Ph.D.
Director, Western Office

CONCURRING PARTY

FOR THE NORTHERN MARIANA ISLANDS MUSEUM OF HISTORY AND CULTURE

By: _____ Date: _____

Scott Russell
Acting Chair, Board of Governors

CONCURRING PARTY

FOR TAOTAOMONA NATIVE RIGHTS

By: _____ Date: _____

Trini Torres
Pilong Maga'Haga

CONCURRING PARTY

FOR THE TASK FORCE ON FREE ASSOCIATION

By: _____ Date: _____

Jose Ulloa Garrido,
Chairman

CONCURRING PARTY

FOR TINIAN

By: _____ Date: _____

Ramon M. Dela Cruz
Mayor, Tinian

CONCURRING PARTY

FOR WE ARE GUAHAN

By: _____ Date: _____

Leevin Camacho
Vice President

LIST OF APPENDICES

Appendix A – Area of Potential Effects Maps

Appendix B – NHPA Public Involvement Summary

Appendix C - Glossary and Acronyms

Appendix D - Summary of Identification and Evaluation Efforts, including information on identified Archaeological Sites

Appendix E - List of Projects included in the Undertaking

Appendix F - ACHP's Recommended Approach for Consultation on Recovery of Significant Information from Archaeological Sites

Appendix G - Standard Operating Procedures

Joint Region Marianas Request for Access Form



PSC 455, BOX 195 FPO, AP 96540-2937
Email: M-GU-NAVFAC-APC-GS@FE.NAVY.MIL
Website: www.cnmc.navy.mil/regions/jrm/html

Date of Request :

Requestor's Name:

Organization Name:

Phone #:

Mobile Phone #:

Email Address:

Access Date Requested:

Alternate Date:

Person to Notify in Case of Emergency

Name:

Address:

Phone #:

Mobile Phone #:

Relationship:

- Area of Access:**
- Andersen Air Force Base
 - Naval Computer Telecommunications Station
 - Naval Base Guam
 - Naval Magazine
- Name of Site:** _____

Is this request for medicinal plant collection? _____
If yes, please indicate the plant species to be collected below:

Are you representing a media organization? _____
Please indicate which media organization: _____

A STANDARD ADVANCE NOTICE OF 10 BUSINESS DAYS FOR US CITIZENS AND 30 BUSINESS DAYS FOR FOREIGN NATIONALS IS REQUIRED, ALTHOUGH BONA FIED EMERGENCIES WILL BE CONSIDERED ON A CASE, BY CASE BASIS.

List all parties requesting access:

Last Name	First Name	Social Security #	Date of Birth	Contact Number #

Public Requirements (LOCAL)	Foreign Nationals
1. Valid ID required for those 16 years of age and older (Must be carried at all times). 2. Minors age 12 and under, must be accompanied by a parent of guardian. 3. For Vehicle Pass: Valid Drivers License, Updated Car Registration and Insurance (Rental Car Agreement if applicable).	1. Colored Copy of Passport (Must be carried at all times). 2. For Vehicle Pass: Valid Drivers License, Updated Car Registration and Insurance (Rental Car Agreement if applicable)

Privacy Act Statement: Pursuant to 5 U.S.C. section 552 and SECNAVINST 5720.42F, this information being requested is on a voluntary basis; however, failure to provide the personal information requested is grounds to deny you entry onto DoD property, in accordance with DODINST 2000.16. Contents shall not be disclosed, discussed, or shared with individuals unless they have a direct need-to-know in the performance of their official duties.

Approved By:

Date:

Joint Region Marianas Waiver and Release of Liability & Emergency Contact Information



PSC 455, BOX 195 FPO, AP 96540-2937
Email: M-GU-NAVFAC-APC-GS@FE.NAVY.MIL
Website: www.cnrc.navy.mil/regions/jrm.html

Name:

Date of Birth: **Age:**

Address:

Phone #:

Mobile Phone #:

I, _____ (print name), **expressly assume all risk** inherent in participating in the site visit or hike which will occur on _____ onboard Joint Region Marianas (JRM) property.

I hereby certify that I have full knowledge of the risks involved in this event, and I am physically fit and sufficiently trained to participate. If, however, as a result of my participation in the site visit or hike, I require medical attention, I hereby give consent to authorize medical personnel to provide such medical care as deemed necessary and I will bear all financial responsibility for such medical care.

I hereby release and waive, and agree to hold harmless, on behalf of myself, my heirs, executors, administrators, personal representatives, and assigns, from any and all claims, actions, or proceedings of any nature whatsoever regardless of the cause, including the negligence or carelessness of any Release (as defined herein), for any loss, damage, personal injury, or death, whatsoever, at law or in equity against the U.S. Government, the U.S. Navy, the U.S. Airforce, and any officers, agents, servants, or employees ("Release") in connection with or related to my being on board the property of Joint Region Marianas (JRM) and my participation in the cultural & historical sites tour and hikes.

Participant Signature: Date:

Parent/Guardian Signature:
(If participant is under 18 years of age) Date:

In Case of Emergency, please contact the following:

Name: Relation:

Phone (Home): Phone (Work):

Phone (Mobile): Phone (Other):

Name: Relation:

Phone (Home): Phone (Work):

Phone (Mobile): Phone (Other):

Special Status Terrestrial Plant Species

Scientific Name	Common Name	Status	Agency
<i>Cyathea lunulata</i>	Satsa, tree fern	Gov Guam Endangered; SOGCN	Guam Department of Agriculture; DAWR
<i>Heritiera longipetiolata</i>	Ufa-Halomtano'	Gov Guam Endangered; SOGCN; Proposed	Guam Department of Agriculture; DAWR; FWS
<i>Sesuvium nelsonii</i>	Hayun Lagu	Gov Guam Endangered; SOGCN; Federally Endangered	Guam Department of Agriculture; DAWR; FWS
<i>Bulbophyllum guamense</i>	Cebello Halomtano, wild onion	Proposed	FWS
<i>Cycas micronesica</i>	Fadang	SOGCN; Proposed	DAWR; FWS
<i>Dendrobium guamense</i>		Proposed	FWS
<i>Eugenia bryanii</i>		Proposed	FWS
<i>Hedyotis megalantha</i>	Paudedo	Proposed	FWS
<i>Maesa walkeri</i>		Proposed	FWS
<i>Nerzilia jacksoniae</i>		Proposed	FWS
<i>Phyllanthus saffordii</i>		Proposed	FWS
<i>Psychotria malaspiniae</i>	Aplokhating-Palaoan	Proposed	FWS
<i>Solanum guamense</i>	Berenghenas Halomtano	Proposed	FWS
<i>Tabernaemontana rotensis</i>		SOGCN; Proposed	DAWR; FWS
<i>Tinospora homosepala</i>		Proposed	FWS
<i>Tuberolabium guamense</i>		Proposed	FWS
<i>Merrilliodendrum megacarpum</i>	Faniok	SOGCN	DAWR

Gov Guam Endangered: Listed as endangered by Guam Department of Agriculture
 SOGCN: Species of Greatest Conservation Need developed by Guam Division of Aquatic and Wildlife Resources (DAWR)
 Federally Endangered: Listed by the US Fish and Wildlife Service (FWS) under the Endangered Species Act
 Proposed Species: Proposed by the FWS to become listed under the Endangered Species Act