

**Comments Received on PA Memo #3  
J-755 Urban Combat Training Area Construction (AAFB)**

Comment Number	Comment Type	Name or UserID	Comment	Response
1	CRI Website	Senator Therese M. Terlaje	<p>I concur with the SHPO’s recommendation that the Operations and Construction of J-755 should not be separated as they both involve the same Area of Potential Effect (APE). I object to the DON’s decision to separate both phases of project J-755. The separation of phases is problematic and ambiguous, and may foster the misperception that both projects do not involve the same APE. It is a disservice to encourage comments in such a way, given that one phase may support construction activities in a smaller area of the APE, for later operations where historic properties may be impacted in the overall APE.</p> <p>Previous memos for J-755 have indicated that eligible sites may be avoided during construction, however the operational phase may pose adverse effects and will need mitigation. While DOD maintains that it does not need “approval” from the Guam SHPO, Federal agencies are required to consult SHPO. Although a mitigation plan may be developed at a later time, all historic properties should be avoided and this project should not proceed without final consensus and explicit approval by the Guam SHPO.</p>	<p>The PA Memo for J-755 was initially submitted for both construction and operations of the training area. However, the DON considered comments received and determined that in this case, operations will be consulted on separately, pending refinement of requirements.</p>
2	CRI Website	Senator Therese M. Terlaje	<p>DOD comments clearly reflect that DOD “acknowledged that lanchos were not considered in the report,” although the lancho sites were discussed in the background and oral histories. This is an inconsistency that should be addressed appropriately. Additionally, the previous PA Memo #2 for J-755 also acknowledged the significance of <i>lanchos</i> in the APE, and also confirmed that the previous survey did not include discussion of <i>lanchos</i>, but rather concentrated on WWII and post-WWII features of the area. While I support the inclusion of <i>lanchos</i> in the forthcoming technical report, a new survey should also be conducted.</p>	<p>The archaeological studies include all site types. It appears your comment references a discussion in one of the studies that focuses on the effects of WWII and post-WWII features on the landscape in this area. This type of discourse is an essential part of the landscape analysis, and does not reflect a diminished effort with regard to analysis of other site types.</p>
3	CRI Website	Senator Therese M. Terlaje	<p>I share the SHPO’s concerns that the Kaschko fieldwork was completed in just five days for approximately 1,550 acres in Andersen South, and that this kind of limited and restricted survey is not a good faith effort for identifying historic properties. Despite recommendations for further research of the infrastructural remains, as noted in Welch 2010, these sites were later labeled ineligible and the research was not accomplished. In its comments, DOD clearly admits that the report “missed some things,” and although such issues may not have been raised previously, the SHPO is raising them now.</p>	<p>The archaeological study referenced in your comment was a reconnaissance survey considered an acceptable component of a “reasonable and good faith effort.” Contractor recommendations for continued work may include multiple factors unrelated to the regulatory requirements. Ultimately, the federal agency is responsible for appropriately considering recommendations and other comments in making a determination.</p> <p>The Advisory Council on Historic Preservation provides guidance on historic property identification with regard to Section 106 requirements.</p>

			<p>Proposing that DOD might ignore requests from the SHPO for further research since the <i>minimum</i> requirements of reasonable and good faith efforts were exercised under ACHP guidance is an affront to the heritage and historical properties of the people of Guam. This only serves to encourage public distrust of DOD activities within the APE. Outlining how approval from the SHPO or other consulting parties is not required, how every property does not require identification in the APE, and that additional investigations or ground verification are not required underscores an inequity of influence and ability that privileges one position over another to allow for the indiscriminate destruction of indigenous cultural properties and historic resources.</p> <p>Given that recommendations for further investigation and research were included in the Welch 2010 report, I concur with the SHPO's request for further study. I oppose the DON taking the privilege to ignore both the report and the request from the SHPO.</p>	
4	CRI Website	Senator Therese M. Terlaje	<p>The DOD response to the SHPO's comment does not include any information on the <i>lancho</i> for the late Senator Angels L.G. Santos. In reference to the implications of the importance and eligibility of the late Senator Angel Santos' family farm, I support the comments made by the State Archaeologist in the previous PA Memo #2 for J-755 that reflect the significance of this property, as Senator Santos is an important figure in Guam history and our national identity:</p> <p>"We believe this property needs to be clearly identified and protected in place for future generations based on the stance Senator Santos made with regard to his homeland, the taking of the land, and under United Nations (UN) Resolution 1514 on December 14, 1960 and the "U.N. Resolutions of February 24, 1999", which "mandated the immediate return of ancestral lands from the federal government without any strings attached or conditions imposed (P. 7, PA Memo #2, J-755)."</p>	<p>The SHPO's comments referenced a circa 1913 map that showed several lancho locations. Archaeological investigations did not identify evidence of extant lancho properties, attributed to extensive land modification observed in the area. DON has completed sufficient efforts to identify historic properties. In addition, Stipulation VI.F. of the 2011 Programmatic Agreement includes the requirement for a full-time archaeologist to provide site checks and perform other functions, including responding to inadvertent discoveries.</p> <p>Section 106 consultation and the PA Memo process stipulated in the 2011 Programmatic agreement is intended to seek views on the identification of historic properties and assessment of effects. Other types of comments (i.e., modern events) are unable to be addressed through this process.</p>
5	CRI Website	Senator Therese M. Terlaje	<p>I support plans for continued research of the reported site and the attempt to find more evidence about the location and condition of the site. Given that other sites have been discovered by pig wallows, other properties may also be uncovered or located throughout the APE with continued ungulate activity. Although disturbed, as indicated through other previously disturbed sites such as AS-T-2008-01 and AS- T-2008-04,</p>	<p>National Register eligibility is evaluated by a set of criteria (36 CFR 60.4). The quality of significance in American history, architecture, archeology, engineering, and culture is present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association and</p> <p>(a) that are associated with events that have made a significant contribution to the broad patterns of our</p>

			<p>disturbances at sites do not necessarily prohibit NRHP eligibility.</p> <p>This example strongly supports the necessity for further investigation along site boundaries, especially those around previously disturbed sites. The memo mentions two sites (AS-T-2008-01 and AS-T-2008-04) that were recommended as eligible for the National Registry of Historic Places although they were previously disturbed.</p>	<p>history; or</p> <p>(b) that are associated with the lives of persons significant in our past; or</p> <p>(c) that embody the 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</p> <p>(d) that have yielded, or may be likely to yield, information important in prehistory or history.</p>
6	CRI Website	Senator Therese M. Terlaje	<p>It appears that the DOD comments do not include any details on the actual methodology for examining <i>lancho</i> sites beyond looking for evidence along a roadway. The degree of investigation is not clear, although the DON suggests it has exceeded minimum efforts. Without full disclosure of its efforts, it is not possible to determine if minimum efforts were exceeded.</p>	<p>DON has completed sufficient efforts to identify historic properties. Archaeological investigations did not identify evidence of extant <i>lancho</i> properties. Following initial comments from the State Historic Preservation Officer's staff, the DON directed qualified archaeologists to conduct a field visit to reassess the area. The field visit confirmed previous observations of extensive land modification and dumping unrelated to <i>lancho</i> activities. The archaeologists noted an absence of <i>lancho</i> site evidence, including artifacts that could be associated with related activities.</p>
7	CRI Website	Senator Therese M. Terlaje	<p>The DON acknowledges that the 5-day survey was merely a "reconnaissance survey" and despite having no comments from the SHPO in 2010, the request from the SHPO should be considered now. It is in the best interest of the people of Guam that 100% of sites in the APE be located and covered. I oppose DOD's decision to not move forward with a new, larger, and more complete survey of the APE</p> <p>The DON also states that no artifacts were found on two identified <i>lancho</i> sites, however the DON also states that corrugated metal, concrete blocks, plastic barrels, and a plastic pipe were located, which may suggest that there may have been a <i>lancho</i> at this location. These two statements are inconsistent with this position, given that it gives a clear indication that evidence of a <i>lancho</i> was found. Further investigation is needed surrounding the <i>lancho</i> sites.</p>	<p>DON has completed reasonable and good faith efforts to identify historic properties in the Area of Potential Effects. Both the archaeological investigations and the follow-on field visit did not identify <i>lancho</i> related sites, buildings, structures, or objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association and any of the National Register eligibility criteria.</p>