From: <u>Gina Byars</u>
To: <u>CRIWebComment</u>

Subject: [Non-DoD Source] ATTN: CRI Web Comments, Code EV23

Date: Sunday, March 20, 2022 12:44:30 AM

March 20, 2022

Via Email – <u>criwebcomment@navy.mil</u>

ATTN: CRI Web Comments, Code EV23

Naval Facilities Engineering Command Pacific 258 Makalapa Drive, Suite 100 Pearl Harbor, Hawaii 96860-3134

Project:

P-309 Infantry Battalion Facilities; P-324 9th Engineer Support Battalion Headquarters; P-325 9th Engineer Support Battalion

Subject: PA Memo 1

Thank you for the opportunity to comment on the Department of Defense's ("DoD") Programmatic Agreement ("PA") Memo, "P-309 Infantry Battalion Facilities; P-324 9th Engineer Support Battalion Headquarters; P-325 9th Engineer Support Battalion."

I respectfully submit these comments OPPOSING the PA Memo's projects, "Identification of Historic Properties;" and "Determination of Effect" for the reasons provided:

First, according to NHPA regulations and the 2011 PA each "individual project" must undergo the PA Memo process. The 2011 PA, which applies to "all individual projects," requires the federal agency to take into account the effects of their undertaking for each individual project through the PA Memo Process.

Second, the DoD's CRI Website does not make the supporting materials cited in the PA Memo publicly accessible even though the DoD expressly agreed to use the CRI website so that supporting information can properly provide the public with "opportunities to comment."

I also have the following concerns for each project:

**P-309 Infantry Battalion Facilities: I OBJECT to the construction of P-309 Infantry Battalion Facilities.

The placement of this facility over the Guam Northern Lens Aquifer, the island's SOLE SOURCE AQUIFER, poses threats for contamination. I am concerned about the Operational Hazardous/Flammable Storage in this facility and how these chemicals will impact the health of the aquifer, as well as other invaluable resources and historic properties. The PA Memo does not discuss the associated environmental and health risks, and appears to have not been

assessed.

**P-324 9th Engineer Support Battalion Headquarters: I OBJECT to any earthwork, including landscaping, in areas with historic properties, which can pose harms from the use of herbicides on historic properties including the Guam Northern Lens Aquifer. There is no mention of how herbicides will be used.

**P-325 9th Engineer Support Battalion – I OBJECT to this project and any earthwork in areas with historic properties.

I OBJECT to the determination of DoD that "the subject construction will have no historic properties affected..." All properties, including those previously disturbed must be protected.

For the reasons above, I OPPOSE the PA Memo's "Identification of Historic Properties;" and "Finding of Effect."

Sincerely,

Gina Byars

--

Gina!

(she/they)

Sent from Gina's slightly intelligent handheld device.

From: I Hagan Famalåo'an Guåhan

To: Richard.Moore@fe.navy.mil; Joanna.Delfin@fe.navy.mil; CRIWebComment; litekyan.opa@gmail.com

Subject: [URL Verdict: Neutral][Non-DoD Source] IHFG Comment MILCON Verticals

Date: Monday, March 21, 2022 1:53:00 AM

March 20, 2022

Via Email - criwebcomment@navy.mil

ATTN: CRI Web Comments, Code EV23 Naval Facilities Engineering Command Pacific 258 Makalapa Drive, Suite 100 Pearl Harbor, Hawaii 96860-3134

Project: P-309 Infantry Battalion Facilities; P-324 9th Engineer Support

Battalion Headquarters: P-325 9th Engineer Support Battalion

Subject: PA Memo 1

Håfa Adai,

I Hagan Famalao'an Guåhan (IHFG), Incorporated, as the indigenous CHamoru Women's Association of Guåhan is founded on the collective mission to enhance, promote, protect and foster the social, economic, cultural, spiritual and political well-being of CHamoru women, girls and gender-diverse people within the overall Guåhan community.

We thank you for the opportunity to comment on the Department of Defense's ("DoD") Programmatic Agreement ("PA") Memo, "P-309 Infantry Battalion Facilities; P-324 9th Engineer Support Battalion Headquarters; P-325 9th Engineer Support Battalion." We respectfully submit these comments **opposing** the PA Memo's projects, "Identification of Historic Properties;" and "Determination of Effect" for the reasons below:

IHFG honors the CHamoru women of Guåhan as the link of their mangåffa and the predecessors of todu i nanan-måmi (our mothers). IHFG is sustained by the kåhna (spirit force) of our ancestors and our sacred connection to our lands and waters. Therefore, we oppose any projects that lead to the desecration of our ancestors and harm our important natural and cultural resources. I present our opposition in hopes of protecting the lands, waters, and heritage that we have inherited from our ancestors for all future generations.

IHFG is concerned that NAVFAC is violating the NHPA and 2011 PA by combining three individual projects into a single PA memo. The language in the NHPA regulations and the 2011 PA makes clear that each "individual project" must undergo the PA Memo process. The 2011 PA, which applies to "all individual projects," requires the federal agency to take into account the effects of their undertaking for

each individual project through the PA Memo Process.

Furthermore, we did not locate the information necessary to support the DoD's PA Memo within the CRI Website. Under the 2011 PA, the DoD expressly agreed to use the CRI website so that supporting information can properly provide the public with "opportunities to comment." However, the DoD's CRI Website does not make the supporting materials and necessary studies cited in the PA Memo publicly accessible.

IHFG also supports the concerns of project components below:

P-309 Infantry Battalion Facilities - IHFG objects to the construction of P-309 Infantry Battalion Facilities. The placement of this facility over the Guam Northern Lens Aquifer, the island's sole source aquifer, poses threats for contamination. I am concerned about the Operational Hazardous/Flammable Storage in this facility and how these chemicals will impact the health of the aquifer as well as other invaluable resources and historic properties. The PA Memo does not discuss the associated environmental and health risks and appears to have not been assessed.

P-324 9th Engineer Support Battalion Headquarters: IHFG objects to this project and any earthwork in areas with historic properties as well as landscaping which can pose harms from the use of herbicides on historic properties including the Guam Northern Lens Aquifer. There is no mention of how herbicides will be used.

P-325 9th Engineer Support Battalion – IHFG objects to this project and any earthwork in areas with historic properties.

IHFG objects to the determination of DoD that "the subject construction will have no historic properties affected because while historic properties have been identified in the APE, the properties will no longer retain integrity and will have had qualifying characteristics altered." All properties, including those previously disturbed must be protected.

More and more human remains are being uncovered and desecrated at construction sites. We are concerned that DoD has not engaged with oral history or conversations with original landowners to gain a comprehensive understanding of the areas of impact. An article published in the Guam Pacific Daily News on March 10, 2022 reflects this deficiency. Therefore, the determination of effect is inadequate. The PDN article can be read at: https://www.guampdn.com/news/descendants-of-previous-base-land-owners-come-forward-military-discloses-details-on-latest-unearthed-human/article_755275f6-9b83-11ec-b96f-dfa5c936170a.html.

For the reasons above, we respectfully **oppose** the PA Memo's "Identification of Historic Properties;" and "Finding of Effect."

Si Yu'os Ma'åse', IHFG Board and Membership From: Jeremy Leon Guerrero
To: CRIWebComment

 Subject:
 [Non-DoD Source] PA Memo 1

 Date:
 Sunday, March 20, 2022 11:21:55 AM

ATTN: CRI Web Comments, Code EV23 Naval Facilities Engineering Command Pacific 258 Makalapa Drive, Suite 100 Pearl Harbor, Hawaii 96860-3134

Hafa adai:

Thank you for the opportunity to comment on the Department of Defense's ("DoD") Programmatic Agreement ("PA") Memo, "P-309 Infantry Battalion Facilities; P-324 9th Engineer Support Battalion Headquarters; P-325 9th Engineer Support Battalion." I respectfully submit these comments **opposing** the PA Memo's projects, "Identification of Historic Properties;" and "Determination of Effect" for the reasons provided:

First, NAVFAC is violating the NHPA and 2011 PA by combining three individual projects into a single PA memo. The language in the NHPA regulations and the 2011 PA makes clear that each "individual project" must undergo the PA Memo process. The 2011 PA, which applies to "all individual projects," requires the federal agency to take into account the effects of their undertaking for each individual project through the PA Memo Process.

Second, The CRI Website lacks the information necessary to support the DoD's PA Memo. Under the 2011 PA, the DoD expressly agreed to use the CRI website so that supporting information can properly provide the public with "opportunities to comment." However, the DoD's CRI Website does not make the supporting materials cited in the PA Memo publicly accessible.

I also state the following concerns for each project:

P-309 Infantry Battalion Facilities - I object to the construction of P-309 Infantry Battalion Facilities. The placement of this facility over the Guam Northern Lens Aquifer, the island's sole source aquifer, poses threats for contamination. I am concerned about the Operational Hazardous/Flammable Storage in this facility and how these chemicals will impact the health of the aquifer, as well as other invaluable resources and historic properties. The PA Memo does not discuss the associated environmental and health risks, and appears to have not been assessed.

P-324 9th Engineer Support Battalion Headquarters: I object to this project and any earthwork in areas with historic properties as well as landscaping, which can pose harms from the use of herbicides on historic properties including the Guam Northern Lens Aquifer. There is no mention of how herbicides will be used.

P-325 9th Engineer Support Battalion – I object to this project and any earthwork in areas with historic properties.

I object to the determination of DoD that "the subject construction will have no historic properties affected because while historic properties have been identified in the APE, the properties will no longer retain integrity and will have had qualifying characteristics altered." All properties, including those previously disturbed must be protected.

For the reasons above, we respectfully **oppose** the PA Memo's "Identification of Historic Properties;" and "Finding of Effect."

Sincerely,

Jeremy Leon Guerrero

March 20, 2022

Via Email - criwebcomment@navy.mil

ATTN: CRI Web Comments, Code EV23 Naval Facilities Engineering Command Pacific 258 Makalapa Drive, Suite 100 Pearl Harbor, Hawaii 96860-3134

Project: P-309 Infantry Battalion Facilities; P-324 9th Engineer Support Battalion

Headquarters; P-325 9th Engineer Support Battalion

Subject: PA Memo 1

Hafa adai:

Thank you for the opportunity to comment on the Department of Defense's ("DoD") Programmatic Agreement ("PA") Memo, "P-309 Infantry Battalion Facilities; P-324 9th Engineer Support Battalion Headquarters; P-325 9th Engineer Support Battalion." I respectfully submit these comments **opposing** the PA Memo's projects, "Identification of Historic Properties;" and "Determination of Effect" for the reasons provided:

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Second, The CRI Website lacks the information necessary to support the DoD's PA Memo. Under the 2011 PA, the DoD expressly agreed to use the CRI website so that supporting information can properly provide the public with "opportunities to comment." However, the DoD's CRI Website does not make the supporting materials cited in the PA Memo publicly accessible.

I also state the following concerns for each project:

P-309 Infantry Battalion Facilities - I object to the construction of P-309 Infantry Battalion Facilities. The placement of this facility over the Guam Northern Lens Aquifer, the island's sole source aquifer, poses threats for contamination. I am concerned about the Operational Hazardous/Flammable Storage in this facility and how these chemicals will impact the health of the aquifer, as well as other invaluable resources and historic properties. The PA Memo does not discuss the associated environmental and health risks, and appears to have not been assessed.

P-324 9th Engineer Support Battalion Headquarters: I object to this project and any earthwork in areas with historic properties as well as landscaping, which can pose harms from the use of

herbicides on historic properties including the Guam Northern Lens Aquifer. There is no mention of how herbicides will be used.

P-325 9th Engineer Support Battalion – I object to this project and any earthwork in areas with historic properties.

I object to the determination of DoD that "the subject construction will have no historic properties affected because while historic properties have been identified in the APE, the properties will no longer retain integrity and will have had qualifying characteristics altered." All properties, including those previously disturbed must be protected.

More and more human remains are being uncovered and desecrated at construction sites. PLSR raises concerns that DoD has not engaged with oral history or conversations with original landowners to gain a comprehensive understanding of the areas of impact. An article published in the Guam Pacific Daily News on March 10, 2022 reflects this deficiency. Therefore, the determination of effect is inadequate. The PDN article can be read at: https://www.guampdn.com/news/descendants-of-previous-base-land-owners-come-forward-military-discloses-details-on-latest-unearthed-human/article 755275f6-9b83-11ec-b96f-dfa5c936170a.html.

For the reasons above, we respectfully **oppose** the PA Memo's "Identification of Historic Properties;" and "Finding of Effect."

Sincerely,

Joanne Messier

From: <u>Kristan Santos</u>
To: <u>CRIWebComment</u>

 Subject:
 [Non-DoD Source] PA Memo 1

 Date:
 Sunday, March 20, 2022 11:23:15 AM

ATTN: CRI Web Comments, Code EV23 Naval Facilities Engineering Command Pacific 258 Makalapa Drive, Suite 100 Pearl Harbor, Hawaii 96860-3134

Project: P-309 Infantry Battalion Facilities; P-324 9th Engineer Support Battalion Headquarters; P-325 9th Engineer Support Battalion

Hafa adai:

Thank you for the opportunity to comment on the Department of Defense's ("DoD") Programmatic Agreement ("PA") Memo, "P-309 Infantry Battalion Facilities; P-324 9th Engineer Support Battalion Headquarters; P-325 9th Engineer Support Battalion." I respectfully submit these comments **opposing** the PA Memo's projects, "Identification of Historic Properties;" and "Determination of Effect" for the reasons provided:

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Second, The CRI Website lacks the information necessary to support the DoD's PA Memo. Under the 2011 PA, the DoD expressly agreed to use the CRI website so that supporting information can properly provide the public with "opportunities to comment." However, the DoD's CRI Website does not make the supporting materials cited in the PA Memo publicly accessible.

I also state the following concerns for each project:

P-309 Infantry Battalion Facilities - I object to the construction of P-309 Infantry Battalion Facilities. The placement of this facility over the Guam Northern Lens Aquifer, the island's sole source aquifer, poses threats for contamination. I am concerned about the Operational Hazardous/Flammable Storage in this facility and how these chemicals will impact the health of the aquifer, as well as other invaluable resources and historic properties. The PA Memo does not discuss the associated environmental and health risks, and appears to have not been assessed.

P-324 9th Engineer Support Battalion Headquarters: I object to this project and any earthwork in areas with historic properties as well as landscaping, which can pose harms from the use of herbicides on historic properties including the Guam Northern Lens Aquifer. There is no mention of how herbicides will be used.

P-325 9th Engineer Support Battalion – I object to this project and any earthwork in areas with historic properties.

I object to the determination of DoD that "the subject construction will have no historic properties affected because while historic properties have been identified in the APE, the properties will no longer retain integrity and will have had qualifying characteristics altered."

All properties, including those previously disturbed must be protected.

For the reasons above, we respectfully **oppose** the PA Memo's "Identification of Historic Properties;" and "Finding of Effect."

Sincerely, Kristan Leon Guerrero From: Odyessa San Nicolas
To: CRIWebComment

Subject: [URL Verdict: Neutral][Non-DoD Source] P-309 Infantry Battalion Facilities; P-324 9th Engineer Support Battalion

Headquarters; P-325 9th Engineer Support Battalion

Date: Sunday, March 20, 2022 2:54:07 PM

March 20, 2022

Via Email - criwebcomment@navy.mil

ATTN: CRI Web Comments, Code EV23 Naval Facilities Engineering Command Pacific 258 Makalapa Drive, Suite 100 Pearl Harbor, Hawaii 96860-3134

Project: P-309 Infantry Battalion Facilities; P-324 9th Engineer Support Battalion

Headquarters; P-325 9th Engineer Support Battalion

Subject: PA Memo 1

Hafa adai:

Thank you for the opportunity to comment on the Department of Defense's ("DoD") Programmatic Agreement ("PA") Memo, "P-309 Infantry Battalion Facilities; P-324 9th Engineer Support Battalion Headquarters; P-325 9th Engineer Support Battalion." I respectfully submit these comments **opposing** the PA Memo's projects, "Identification of Historic Properties;" and "Determination of Effect" for the reasons provided:

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I also state the following concerns for each project:

P-309 Infantry Battalion Facilities - I object to the construction of P-309 Infantry Battalion Facilities. The placement of this facility over the Guam Northern Lens Aquifer, the island's sole source aquifer, poses threats for contamination. I am concerned about the Operational Hazardous/Flammable Storage in this facility and how these chemicals will impact the health of the aquifer, as well as other invaluable resources and historic properties. The PA Memo does not discuss the associated environmental and health risks, and appears to have not been assessed.

P-324 9th Engineer Support Battalion Headquarters: I object to this project and any earthwork in areas with historic properties as well as landscaping, which can pose harms from the use of herbicides on historic properties including the Guam Northern Lens Aquifer. There is no mention of how herbicides will be used.

P-325 9th Engineer Support Battalion – I object to this project and any earthwork in areas with historic properties.

I object to the determination of DoD that "the subject construction will have no historic properties affected because while historic properties have been identified in the APE, the properties will no longer retain integrity and will have had qualifying characteristics altered." All properties, including those previously disturbed must be protected.

More and more human remains are being uncovered and desecrated at construction sites. PLSR raises concerns that DoD has not engaged with oral history or conversations with original landowners to gain a comprehensive understanding of the areas of impact. An article published in the Guam Pacific Daily News on March 10, 2022 reflects this deficiency. Therefore, the determination of effect is inadequate. The PDN article can be read at:

<a href="https://www.guampdn.com/news/descendants-of-previous-base-land-owners-come-forward-military-discloses-details-on-latest-unearthed-human/article_755275f6-9b83-11ec-b96f-dfa5c936170a.html.

For the reasons above, we respectfully **oppose** the PA Memo's "Identification of Historic Properties;" and "Finding of Effect."

Sincerely, Odyessa L. San Nicolas

Military Relocation to Guam and CNMI PA Memo Comment Form 2022

If submitting via e-mail, scan and send to: criwebcomment@navy.mil

If submitting via postal mail, send to:

Attn: CRI Web Comments Code EV23, NAVFAC Pacific 258 Makalapa Drive, Suite 100 JBPHH, Hawaii 96860-3134

Submitted comments will be posted on the Navy's Cultural Resources Information (CRI) web site. Information presented on the CRI web site is considered public. The sections highlighted in red are required to be completed in order for a comment to be posted.

Privacy Act Statement

Personal information will only be used to contact you regarding the comments you submit. This information will only be shared with another government agency if your inquiry relates to that agency, or as otherwise required by law. We will not create individual profiles or give your information to any private organization. While you must provide a valid e-mail address or postal address, please DO NOT include personally identifying information such as a social security number.

By submitting this comment form, you agree not to include content that is offensive in nature, such as profanity, personal attacks on individuals, and racist or abusive language.

PROJECT: P-309 Infantry Battalion Facilities; P-324 9th Engineer Support Battalion

Headquarters; P-325 9th Engineer Support Battalion

SUBJECT: PA Memo #1
Date: March 23, 2022

Name: Speaker Therese M. Terlaje

CRI User Name (if you don't want your real name to be posted with your comment on the CRI web site):

E-Mail Address: senatorterlajeguam@gmail.com

and/or

Postal Mail Address: Guam Congress Building, 163 Chalan Santo Papa, Hagatña, Guam 96910

COMMENTS:

It is concerning that the projects P-324 and P-325 are located on land containing archaeological site discoveries and human remains. P-324 is the 9th Engineer Support Battalion Headquarters which will construct a permanent low-rise structure that will provide Antiterrorism (AT) features consisting of an administration building with battalion/ squadron headquarters and company/ batter headquarters. P-325 is the 9th Engineer Support Battalion which will construct a permanent vehicle laydown area with PCC pavement with ancillary low-rise structures and a shallow foundation system, with additional primary facilities like an automobile organizational shop building and electrical/ communications maintenance shop building.

Per the project's "Identification of Historic Properties," P-324 and P-325 contain archaeological discovery areas J-001B-002, J-001B-009, J-001B-010, and J-001B-011 and four areas with human remains HR-12, HR-20, HR-22, HR-25.

Per "Appendix B: Table of Archaeological Site Discoveries (Potential Historic Properties)":

J-001B-002 includes archaeological surface scatter, stone tools, and late 19th century bottles and ceramics which suggest a potential prehistoric habitation site;

J-001B-009 includes Area E, surface scatter of 50+ latte ceramic sherds, a broken lusong, marine shell (tridacna) and volcanic stone fragments;

J-001B-010 includes surface artifact scatter and three soil with fire affected limestone pebbles in an area approximately 30 x 80 meters in Area E; and

J-001B-011 includes more than 20 features within an area of approximately 100 x 150 meters in the western portion of Area D, several of which are black soil stains that contain burned coconut shell, fire affected limestone pebbles, and surface artifact scatters.

Per "Appendix B: Table of Discoveries of Human Skeletal Remains (HR)":

J-001B-HR12 was a disturbance made within Area 10 and consists of a single cranial fragment;

J-001B-HR20 was a disturbance made during laboratory soil sampling from Area D and consists of an indeterminate bone fragment and foot phalange;

J-001B-HR22 was a disturbance made within Area D and consists of a tibia and femur midshaft fragment; and

J-001B-HR25 was a disturbance made within Area D and consists of approximately 50 or more various bone fragments.

I believe that preservation-in-place is necessary for all CHamoru ancestral remains and archaeological site discoveries located within Camp Blaz. Further, I am opposed to any extensive construction and infrastructural changes to the area, even if it does not directly impact CHamoru ancestral remains and archaeological site discoveries, because these changes will alter the landscape. Landscape alterations can lead to the erasure of CHamoru history, disconnecting present CHamorus from their ancestors' burials, history, and knowledge.

It is also concerning that studies of these areas have taken place without consultation of Machanao landowners who have been identified in the press. I urge Joint Regions Marianas to pause all projects planned for Camp Blaz till the Machanao landowners are consulted, especially regarding family members potentially buried in the area and the human remains that have already been disturbed.

From: <u>Tatiana Ananich</u>
To: <u>CRIWebComment</u>

Subject: [URL Verdict: Neutral][Non-DoD Source] PA Memo 1

Date: Sunday, March 20, 2022 1:48:58 PM

Hafa adai,

Thank you for the opportunity to comment on the Department of Defense's ("DoD") Programmatic Agreement ("PA") Memo, "P-309 Infantry Battalion Facilities; P-324 9th Engineer Support Battalion Headquarters; P-325 9th Engineer Support Battalion." I respectfully submit these comments **opposing** the PA Memo's projects, "Identification of Historic Properties;" and "Determination of Effect" for the reasons provided:

First, NAVFAC is violating the NHPA and 2011 PA by combining three individual projects into a single PA memo. The language in the NHPA regulations and the 2011 PA makes clear that each "individual project" must undergo the PA Memo process. The 2011 PA, which applies to "all individual projects," requires the federal agency to take into account the effects of their undertaking for each individual project through the PA Memo Process.

Second, The CRI Website lacks the information necessary to support the DoD's PA Memo. Under the 2011 PA, the DoD expressly agreed to use the CRI website so that supporting information can properly provide the public with "opportunities to comment." However, the DoD's CRI Website does not make the supporting materials cited in the PA Memo publicly accessible.

I also state the following concerns for each project:

P-309 Infantry Battalion Facilities - I object to the construction of P-309 Infantry Battalion Facilities. The placement of this facility over the Guam Northern Lens Aquifer, the island's sole source aquifer, poses threats for contamination. I am concerned about the Operational Hazardous/Flammable Storage in this facility and how these chemicals will impact the health of the aquifer, as well as other invaluable resources and historic properties. The PA Memo does not discuss the associated environmental and health risks, and appears to have not been assessed.

P-324 9th Engineer Support Battalion Headquarters: I object to this project and any earthwork in areas with historic properties as well as landscaping, which can pose harms from the use of herbicides on historic properties including the Guam Northern Lens Aquifer. There is no mention of how herbicides will be used.

P-325 9th Engineer Support Battalion – I object to this project and any earthwork in areas with historic properties.

I object to the determination of DoD that "the subject construction will have no historic properties affected because while historic properties have been identified in the APE, the properties will no longer retain integrity and will have had qualifying characteristics altered." All properties, including those previously disturbed must be protected.

More and more human remains are being uncovered and desecrated at construction sites.

PLSR raises concerns that DoD has not engaged with oral history or conversations with original landowners to gain a comprehensive understanding of the areas of impact. An article published in the Guam Pacific Daily News on March 10, 2022 reflects this deficiency. Therefore, the determination of effect is inadequate. The PDN article can be read at: https://www.guampdn.com/news/descendants-of-previous-base-land-owners-come-forward-military-discloses-details-on-latest-unearthed-human/article_755275f6-9b83-11ec-b96f-dfa5c936170a.html.

For the reasons above, we respectfully **oppose** the PA Memo's "Identification of Historic Properties;" and "Finding of Effect."

Sincerely, Tatiana Ananich

Response to Comments Received

PA Memo #1: P-309 Infantry Battalion Facilities, P-324 9th Engineer Support Battalion Headquarters, and P-325 9th Engineer Support Battalion

The Cultural Resources Information (CRI) website was established in accordance with the Programmatic Agreement Among the Department of Defense (DOD), the Advisory Council on Historic Preservation (ACHP), the Guam State Historic Preservation Officer (SHPO), and the Commonwealth of the Northern Mariana Islands (CNMI) State Historic Preservation Officer Regarding the Military Relocation to the Islands of Guam and Tinian (2011 PA) for collecting public input regarding the identification and evaluation of historic properties, and to comment on DoD's identification and evaluation efforts and findings (Stipulation IV.E.2). The website is intended to receive concerns related to the National Historic Preservation Act (NHPA) its implementing procedures 36 CRF Part 800. Responses to comments received on the title projects are presented by relevant topic below.

Cultural Resources Information (CRI) Website

To reiterate the Department of the Navy's (DoN)'s response to previous comments on this subject, a federal agency the Navy is required to uphold historic preservation laws, including confidentiality provisions that protect information on the nature and location of historic properties, including archaeological resources. To ensure confidentiality provisions are adhered to, historic property information in the public programmatic agreement (PA) memos is presented in general terms. The SHPO has a consultative role in the National Historic Preservation Act (NHPA) Section 106 (Section 106) process that reflects the interests of the citizens of Guam, and SHPO staff provide expertise on historic properties during consultation. SHPO versions do include detailed information regarding the nature and location of properties. In accordance with federal regulations, the SHPO is responsible for working with the DoN in taking into consideration historic properties at all level of planning and development.

While the Archaeological Resources Protection Act (ARPA) and NHPA have confidentiality requirements that prevent publicly disclosing the exact nature and location of archaeological resources and historic properties, the CRI website makes other information available to the public. The website requests public input regarding the identification and evaluation of historic properties within project-specific Area of Potential Effects (APEs) for direct and indirect effects. Additionally, the public has the opportunity to comment regarding DOD's identification and evaluation efforts and findings. Comments received are displayed on the CRI website. In addition to the Semi-Annual Report, a number of resources are provided within the CRI website, under Public Education and Interpretation Series Booklets, in order to assist the public with the opportunity to comment. These resources include:

- 2011 PA Glossary of Commonly Used Terms
- Criteria to Evaluate Properties (36 CFR part 60.4)
- Section 106 (36 CFR Part 800)
- ACHP Meeting the "Reasonable and Good Faith" Identification Standard in Section 106 Review
- ACHP A Citizen's Guide to Section 106 Review
- National Historic Preservation Act of 1966
- Department of Interior and National Park Service (NPS) National Register Bulletin: How to Apply the National Register Criteria for Evaluation

Identification and Evaluation of Historic Properties

Consultation for the Undertaking has been completed in accordance with Section 106 of the NHPA. The 2011 PA is the guiding document for procedures and mitigation measures to resolve adverse effects that the PA parties committed to for the Undertaking. Additionally, members of the public, including Machanao landowners, have the opportunity to comment and provide input on the identification and evaluation of historic properties through the PA Memo process, as outlined in the 2011 PA. Notices to the public on ways to provide input are distributed through press releases sent to local print and broadcast media outlets. PA parties are provided direct written notice.

Response to Comments Received

PA Memo #1: P-309 Infantry Battalion Facilities, P-324 9th Engineer Support Battalion Headquarters, and P-325 9th Engineer Support Battalion

Violation of the NHPA and 2011 PA by commingling multiple individual projects into a single PA memo.

Per Section 106 (36 CFR §800.14(b)) programmatic agreements allow federal agencies to govern the implementation of a particular agency program or the resolution of adverse effects from complex projects or multiple undertakings similar in nature through negotiation of an agreement between the agency, appropriate SHPO(s) and the ACHP. As a result, the Section 106 process for multiple projects encompassed under one large undertaking are streamlined under one programmatic agreement document.

As stated in the DoN's previous responses, the 2011 PA applies to all individual projects associated with the Guam and CNMI Military Relocation, as identified in the Final Environmental Impact Statement and listed in Appendix A of the 2011 PA, 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). While supplemental review is required for these supporting projects, the 2011 PA does not require individual PA Memos on each project. The 2011 PA states that in the course of supplemental reviews pursuant to Stipulations IV and V, 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. Consistent with the 2011 PA, project-specific APEs are represented in PA Memos.

Objections to the project(s) and any earthwork in areas with historic properties

In accordance with Section 106 and as outlined in the 2011 PA, the Agency has:

- Conducted extensive archaeological and architectural surveys and evaluations in planning for the Undertaking, and, in
 consultation with the Guam and CNMI SHPOs, ACHP, NPS, and Concurring Parties, applied the results to the siting/lay
 down of individual projects to avoid, minimize and mitigate effects to historic properties. The DOD provided this
 documentation, as requested by the applicable SHPO, of these efforts to the Signatories and Invited Signatories;
- Taken into account the effects of the projects covered under the Undertaking on historic properties and afforded the Council a reasonable opportunity to comment;
- Reviewed existing information on historic properties within the APEs and sought ways to avoid, minimize or mitigate any adverse effects on historic properties, and;
- Mitigated all post-review discoveries in accordance with the stipulations in the 2011 PA and the ACHP's Recommended Approach for Consultation on Recovery of Significant Information from Archaeological Sites.

Pursuant to the 2011 PA and the Section 106 process, post review discoveries are assumed eligible (without prior testing) for the purpose of the undertaking so that that the appropriate mitigation measures may be implemented. Mitigation to resolve adverse effects for archaeological sites assumed eligible under Criterion D are data recovery level investigations. Data recovery is conducted in order obtain and preserve any data that may yield information important in prehistory or history. The presence of an archaeological site, a potentially eligible historic property, or a property listed on the National Register of Historic Places does not result in the termination of a project under Section 106. All sites eligible or assumed eligible within the subject APEs have been mitigated in accordance with the agreed upon methods in the 2011 PA and are no longer extant. The information potential from these sites has been exhausted, but the potentially important information is retained in the data collected.

Report requests

Per the DoN's previous responses, the requested resources can be accessed at the SHPO office for research purposes. Their office is located at the Department of Parks and Recreation, 940 Chalan Palasyo, Agaña Heights, 96910, across from the U.S. Naval Hospital. The DoN has permitted the access of these resources for academic and research purposes, but is prohibited by law in allowing recording/reproduction for general public distribution. Individuals seeking access to these reports are advised to inquire with the SHPO.