

CHAPTER 21.

SECTION 4(F) AND SECTION 6(F) EVALUATION

21.1 PROPOSED PROJECT

The roadway projects are encompassed within the Guam Road Network (GRN), which comprise the non-military roadway system on the island of Guam. Construction of the GRN projects is required to accommodate three proposed military actions (Figure 21.1-1). First, increased traffic from the military relocation of approximately 8,600 Marines of the III Marine Expeditionary Force and their dependents from Okinawa by 2014 needs to be addressed. Aviation and waterfront operations, training, main cantonment, family housing and associated utilities, and infrastructure improvements comprise the scope of activities to be conducted in support of Marine Corps projects on the island. Roadway improvements are needed to support construction of the facilities and the ensuing traffic related to the proposed military relocation on Guam. Roadway improvements are also connected to construction of operational facilities, training, main cantonment, and family housing on Guam to support the defensive mission of the Marine Corps.

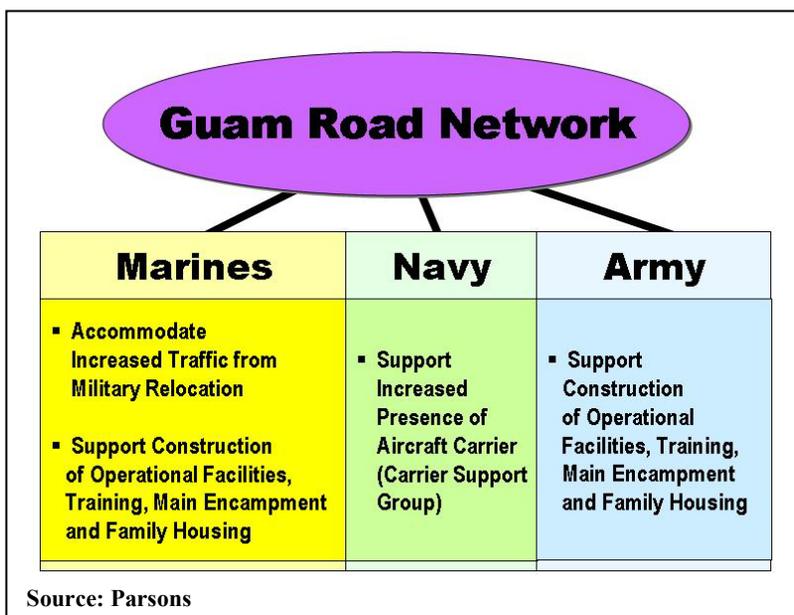


Figure 21.1-1. Connectivity of the Guam Road Network

Second, the roadway improvements are connected to Navy initiatives associated with an increase in aircraft carrier presence to support engagement and deterrence consistent with the global shift of trade and transport. A new deep-water wharf at Apra Harbor is needed to support the increased Navy presence and port visits associated with a Carrier Strike Group.

Third, the roadway improvements are also connected to construction of operational facilities, training, main cantonment, and family housing on Guam to support the Army Ballistic Missile Defense Task Force (BMDTF) and its defensive mission.

Improvements to the roadway network on Guam are needed to allow efficient and safe access to military lands for construction of facilities and to accommodate military-related and projected organic (ongoing) traffic growth on Guam. The existing roadways connecting the population centers and Department of Defense (DoD) lands on Guam are shown in Figure 21.1-2.

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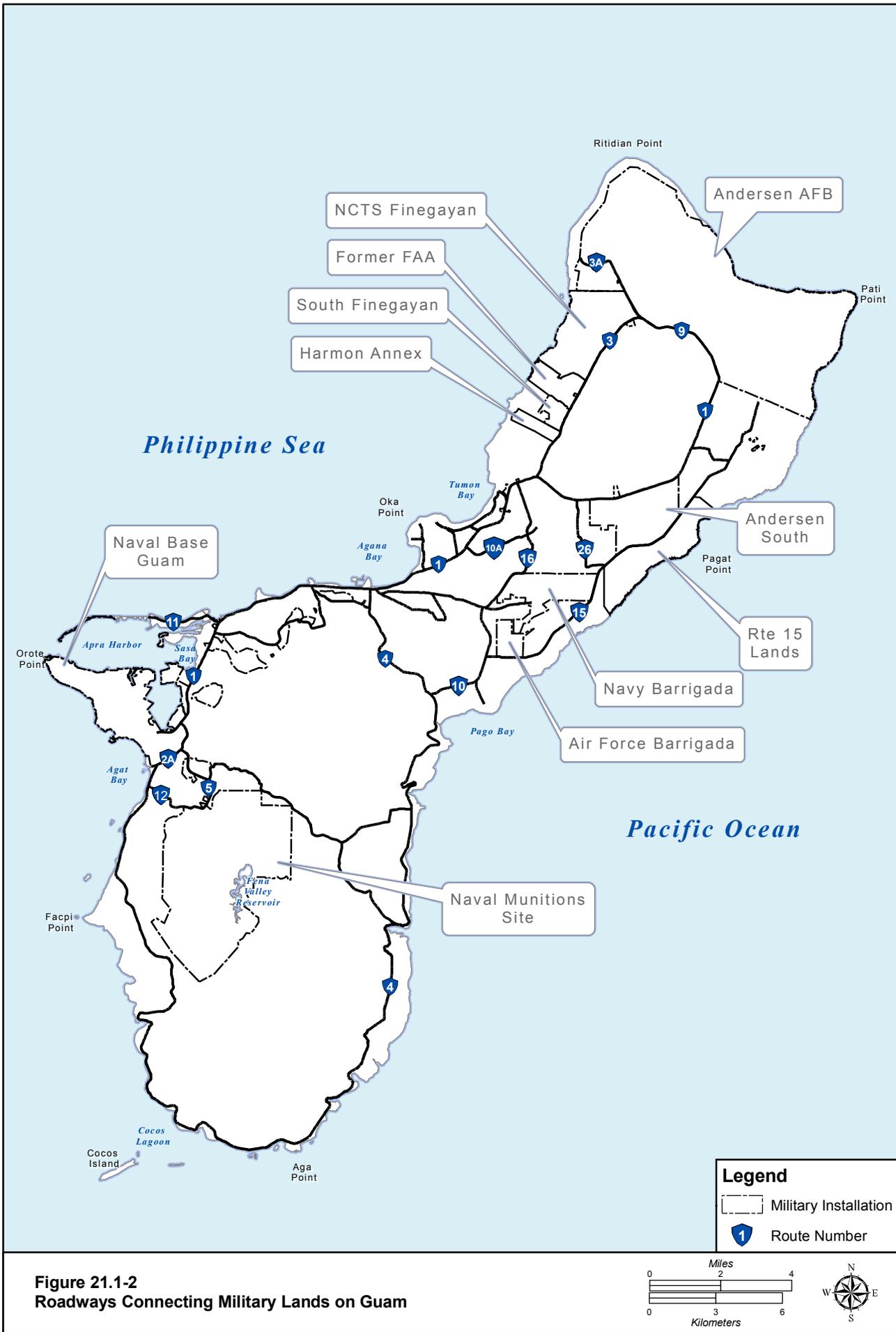


Figure 21.1-2
Roadways Connecting Military Lands on Guam

The proposed construction of roadway improvements would be located on the island of Guam, which is geographically part of the Mariana Islands archipelago. Guam is a territory of the United States (U.S.). The setting for the project encompasses the primary roadway network for the entire island of Guam, comprising 20 federal-aid roadways and one local road totaling approximately 66 miles (106 kilometers).

21.1.1 Purpose and Need

While a complete discussion of the purpose and need for the project is provided in Volume 6, Chapter 1, basically, an improved network of roads on Guam is needed as part of the mission-critical infrastructure to support planned relocation of Marines and their dependents, as well as to accommodate ongoing growth on the island in accordance with the 2030 Guam Transportation Plan. The island of Guam is experiencing roadway problems that include inadequate bridges; flooding roads; poor lane visibility, as a result of tight corners, poor lane striping, lighting, and lane geometry; high accident locations; landslides; eroding embankments; and inadequate intersections because of the absence of traffic signals. To meet these needs, the proposed GRN projects would include roadway widening, improvements to existing intersections and new intersections that would serve as military access points, bridge replacements, pavement strengthening at specific locations islandwide, the realignment of Route 15, and a new Core Bus System. These improvements are needed to resolve traffic congestion during the construction period from 2010 through 2016, with peak construction and peak population in 2014, and to accommodate the ensuing traffic increase from full military relocation combined with projected organic growth. The transportation network would become an integral component for fulfilling the U.S. defense strategy and alliance requirements and would provide an enhanced capability to defend critical military assets on Guam through the Army BMDTF.

21.1.2 Project Alternatives

A complete discussion of the project alternatives is provided in Volume 6, Chapter 2. There were four build alternatives that were carried forward. All the build alternatives use the Agana Bridge #1 equally to the same extent. The Agana Bridge #1 is the only Section (§) 4(f) property used, other than the *de minimus* park uses.

21.1.2.1 Alternative 1

Alternative 1 includes utilizing Naval Computer and Telecommunications Station (NCTS) Finegayan (809 acres [ac] [327 hectares (ha)]), South Finegayan (290 ac [117 ha]), acquisition or long-term leasing of the Former Federal Aviation Administration (FAA) parcel (680 ac [275 ha]), and acquisition or long-term leasing of land in the Harmon Annex (326 ac [132 ha]) for a total of 2,105 ac (852 ha). A detailed view of the Main Cantonment configuration associated with this alternative is presented in Volume 6, Chapter 2, Figure 2.5-9 (Alternative 1 Housing and Cantonment).

The Main Cantonment would include housing facilities, base operations and support facilities, various headquarters and administrative support facilities, Quality of Life (QOL) facilities (e.g., shops, schools and recreation), training areas, and open space. Military personnel, including Army BMDTF, and their dependents would generally live, work, recreate, and shop in the north to northwest part of Guam.

Most ground training activities (non-firing and firing) would occur on the east coast of Guam; the principal battalion-level training area would be on the island of Tinian, which is north of Guam. Waterfront activities would be at Apra Harbor, but most Marine Corps vehicle traffic would be in the northern half of the island, except during embarkation when Marines would be at Apra Harbor in preparation for training deployment. Amphibious Readiness Group embarkation and berthing would be at

contiguous wharves, but the U.S. Coast Guard would need to be relocated to Oscar/Papa Wharves. Under this alternative, the new deep-draft aircraft carrier berth would be at the Former Ship Repair Facility. The water and wastewater proposals under this alternative provide the greatest capacity and benefit to populations outside of the military relocation. The existing Northern District Wastewater Treatment Plant would be upgraded with secondary treatment capacity. Upgrades and improvements to the existing Guam Power Authority system would be funded, but no new power generation capacity would be provided. Solid waste would be managed on DoD lands.

The roadway projects that would be required for Alternative 1 are all projects listed in Volume 6, Chapter 2, Table 2.5-1, with the exception of the following GRN projects: #38, #39, #41, #47, #48, #49A, #63, and #74.

21.1.2.2 Alternative 2 (Preferred Alternative)

Alternative 2 is the preferred alternative and includes utilizing NCTS Finegayan (1,230 ac [498 ha]), South Finegayan (290 ac [117 ha]), and acquisition or long-term leasing of the Former FAA parcel (680 ac [275 ha]) for a total of 2,200 ac (890 ha). A detailed view of the Main Cantonment configuration associated with this alternative is presented in Volume 6, Chapter 2, Figure 2.5-10 (Alternative 2 Housing and Cantonment).

The roadway projects that would be required for Alternative 2 are all projects listed in Volume 6, Chapter 2, Table 2.5-1, with the exception of the following GRN projects: #38A, #39A, #41A, #47, #48, #49, #49A, #63, and #74.

21.1.2.3 Alternative 3

Alternative 3 includes utilizing NCTS Finegayan (1,230 ac [498 ha]), South Finegayan (290 ac [117 ha]), with portions of military housing and QOL services at Air Force Barrigada and Navy Barrigada (420 ac and 377 ac, respectively [174 ha and 153 ha, respectively]), for a total of 2,327 ac (942 ha). A detailed view of the Main Cantonment configuration associated with this alternative is presented in Volume 6, Chapter 2, Figure 2.5-11 (Alternative 3 Housing and Cantonment).

The roadway projects that would be required for Alternative 3 are all projects listed in Volume 6, Chapter 2, Table 2.5-1, with the exception of the following GRN projects: #20, #31, #38A, #39A, #41, #41A, and #124.

21.1.2.4 Alternative 8

Alternative 8 includes NCTS Finegayan 809 ac [327 ha]), acquisition or long-term leasing of the Former FAA parcel (680 ac [275 ha]), and South Finegayan (290 ac [117 ha]), with portions of military housing and QOL services at Air Force Barrigada (430 ac [174 ha]), for a total of 2,209 ac (894 ha). A detailed view of the Main Cantonment configuration associated with this alternative is presented in Volume 6, Chapter 2, Figure 2.5-7 (Alternative 8 Housing and Cantonment).

The roadway projects that would be required for Alternative 8 are all projects listed in Volume 6, Chapter 2, Table 2.5-1, with the exception of the following GRN projects: #38, #39, #41, #47, #48, #49, #63, and #74.

21.1.3 Other Alternatives Considered but Eliminated

For discussion of other alternatives considered but eliminated, refer to Volume 2, Chapter 2.

21.2 SECTION 4(F) EVALUATION

21.2.1 Purpose

§ 4(f) of U.S. Department of Transportation Act of 1966 (49 U.S. Code [U.S.C.] § 303 et seq.) declares that:

(a) It is the policy of the United States Government that special effort should be made to preserve the natural beauty of the countryside and public park and recreation lands, wildlife and waterfowl refuges, and historic sites.

(b) The Secretary of Transportation shall cooperate and consult with the Secretaries of the Interior, Housing and Urban Development, and Agriculture, and with the States, in developing transportation plans and programs that include measures to maintain or enhance the natural beauty of lands crossed by transportation activities or facilities.

(c) Approval of programs and projects.--Subject to subsection (d), the Secretary may approve a transportation program or project (other than any project for a park road or parkway under section 204 of title 23) requiring the use of publicly owned land of a public park, recreation area, or wildlife and waterfowl refuge of national, State, or local significance, or land of an historic site of national, State, or local significance (as determined by the Federal, State, or local officials having jurisdiction over the park, area, refuge, or site) only if:

- (1) there is no prudent and feasible alternative to using that land; and
- (2) the program or project includes all possible planning to minimize harm to the park, recreation area, wildlife and waterfowl refuge, or historic site resulting from the use.

Likewise, under 49 U.S.C. 303 (d) “The Administration [Federal Highway Administration (FHWA)] can determine that the use of the property, including any measure(s) to minimize harm (such as avoidance, minimization, mitigation, or enhancement measures) committed to by the applicant, would have a ‘de minimus’ impact on the property.” See also 23 Code of Federal Regulations [CFR] 774.3(b)).

The regulations interpreting § 4(f) state that “The potential use of land from a § 4(f) property shall be evaluated as early as practicable in the development of the action when alternatives to the proposed action are under study” (23 CFR 774.9(a)). The use of § 4(f) resources occurs when (1) land from a § 4(f) site is permanently incorporated into a transportation facility; (2) there is a temporary occupancy of § 4(f) land that is adverse in terms of the statute’s preservation purpose, or (3) when a “constructive use” of a § 4(f) property is determined. “A constructive use occurs when the transportation project does not incorporate land from a Section 4(f) property, but the project’s proximity impacts are so severe that the protected activities, features, or attributes that qualify the property for protection under Section 4(f) are substantially impaired” (23 CFR 774.15(a)).

The term “historic site” includes any prehistoric or historic district, site, building, structure, or object included in or eligible for inclusion in the National Register of Historic Places (NRHP) (23 CFR 774.17). § 4(f) does not apply to archaeological sites on or eligible for the NRHP when the FHWA concludes that the archaeological resource is important chiefly because of what can be learned by data recovery and has minimal value for preservation in place (23 CFR 774.13(a)(1)). Constructive use does not occur when compliance with the requirements of Section 106 of the National Historic Preservation Act (16 U.S.C. § 470) and related regulations defining proximity impacts of a proposed project on an NRHP site results in “an agreement of no historic properties affected” or “no adverse effect” (23 CFR 774.15(f)(1)).

§ 4(f) further requires consultation with the U.S. Department of the Interior and, as appropriate, the involved offices of the U.S. Department of Agriculture and the U.S. Department of Housing and Urban Development in developing transportation projects and programs that use properties protected by § 4(f).

Because the Guam roadway projects would involve the use of § 4(f) properties, this evaluation identifies the significant § 4(f) resources in the project area, describes the nature and extent of the use of these significant properties, evaluates alternatives that would avoid the use of § 4(f) resources, and describes measures to minimize harm to the affected resources.

21.2.2 Section 4(f) Properties

21.2.2.1 Public Parks

Please refer to Volume 6, Chapter 11, for full discussion of public parks and recreation areas potentially affected by the GRN projects.

Route 1 provides the principal access to recreational opportunities in the western segment of the Central Region (i.e., Piti, Asan, Hagatna, Mongmong, and Tamuning). Proposed improvements along Route 1 include pavement strengthening, intersection improvements, bridge replacement, and military access points. Recreational opportunities along the western segment of the Central Region largely comprise beaches, trails, public parks, and scenic vistas. Portions of Route 1 are located immediately adjacent to or near these areas.

The three parks that could be affected by the GRN projects include Guam Seal Park, Dededo Buffer Strip Park, and Chinese Park.

21.2.2.2 Wildlife Refuges

On the northernmost part of the island, the Guam National Wildlife Refuge (GNWR) was established in 1993 with the Ritidian Unit, which was relinquished by the Navy. Most of the refuge, approximately 22,500 ac (9,105 ha), including the area potentially affected by the GRN, is an “Overlay Refuge” on lands administered by the Air Force and the Navy. Pursuant to the Memorandum of Understanding executed in 1993 among the Government of Guam, the Air Force, the Navy, and U.S. Fish and Wildlife Service, the primary purpose of Air Force and Navy lands within the GNWR is to support the national defense mission of the Air Force and the Navy. The military mission has priority on these lands; however, the U.S. Fish and Wildlife Service helps protect native species and habitats.

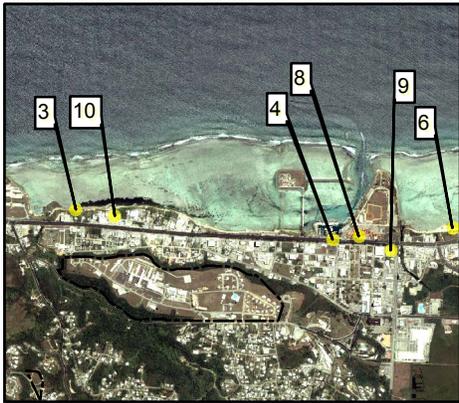
Given the military mission precedence on the GNWR Overlay lands, wildlife protection is not the major purpose; therefore, it is not determined to be subject to the protective provisions of § 4(f).

Historic Sites

Figure 21.2-1 shows known historic sites in relation to the Area of Potential Effect established for the GRN projects. The Area of Potential Effect was identified in consultation with the Guam State Historic Preservation Office (SHPO) in December 2008 (see Volume 6, Chapter 14). The sites included are sites previously determined eligible for or listed on the NRHP.

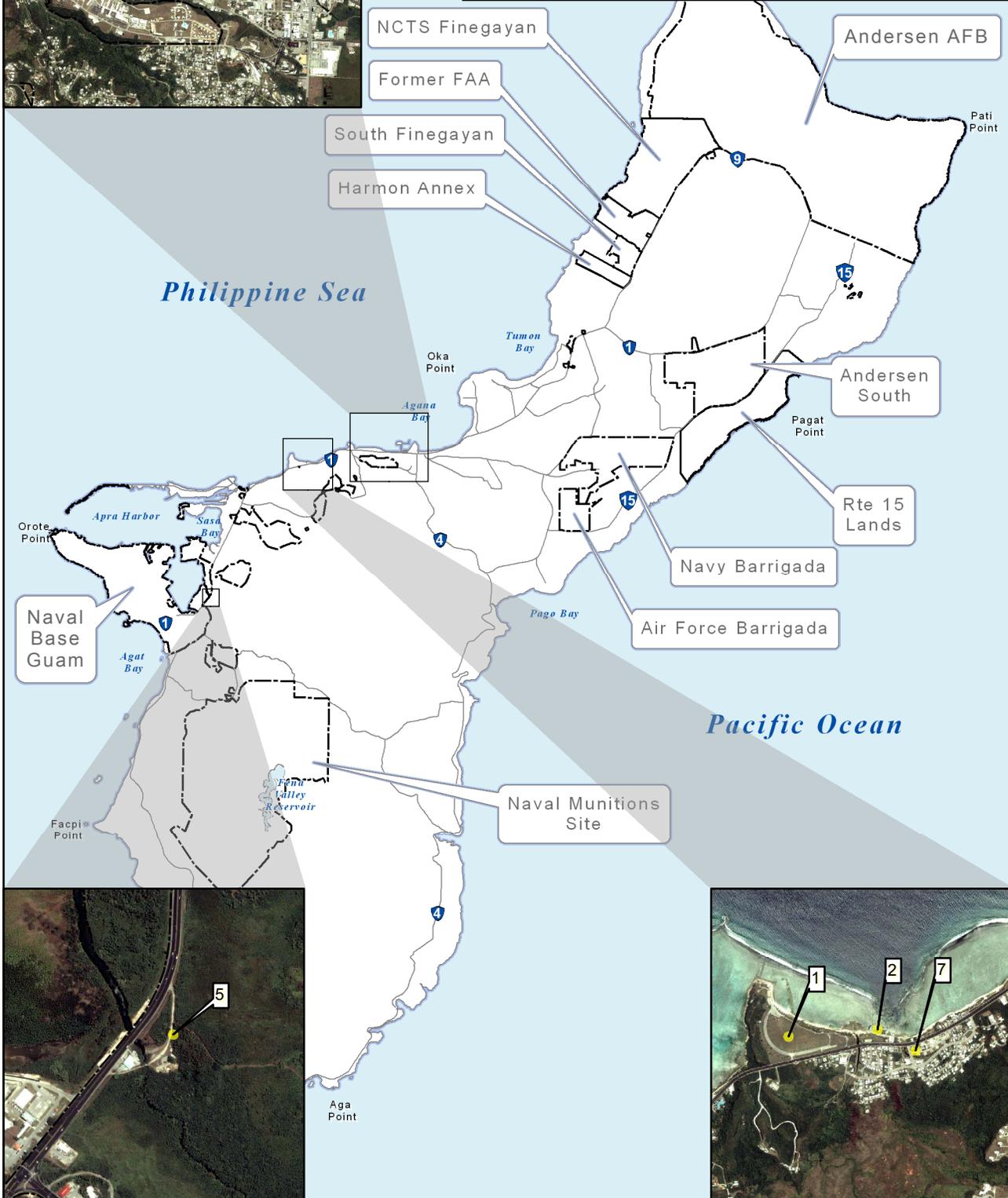
Since circulation of the Draft Environmental Impact Statement (EIS), including Figure 21.2-2 referenced above, Agana Bridge #1, which conveys both east and westbound lanes on Route 1, has been reconsidered by the Guam SHPO and found eligible for inclusion in the NRHP. The bridge is of a single-span reinforced concrete box construction and highlighted with stylized parapets. The bridge was originally built in 1945 near the village of Hagatna, as part of the U.S. military reconstruction of Guam following Japanese occupation during World War II. The bridge was eventually expanded to six lanes, but data on the precise

dates of the widening and the extent of modifications are not available because most government records detailing the bridge's evolution were destroyed in a typhoon. Upon a field visit and discussion with Guam SHPO, the bridge was determined to be eligible for listing in the NRHP under Criterion A at the local level for its association with events that have made a significant contribution to the broad patterns of Hagatna's history and its role in the War in the Pacific. However, only the parapets are considered original and character-defining elements. The FHWA requested formal concurrence by the Guam SHPO in this determination of eligibility, by letter dated April 15, 2010, and the Guam SHPO verbally concurred (see Attachment 1). Figure 21.2-2 is a contemporary photograph of Agana Bridge #1 with a perspective of two parapets.



Legend

-  Military Installation
-  Route Number
- 1 Asan Invasion Beach/War in the Pacific NHP
- 2 Memorial Beach Park/War in the Pacific NHP
- 3 Toves House
- 4 Agana Spanish Bridge
- 5 Atantano Shrine
- 6 Cormoran Monument/US Naval Cemetery
- 7 Asan Patriots of World War II Memorial
- 8 Guam Heroes Memorial/Skinner Plaza
- 9 Taitano House
- 10 Garrido House



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**Figure 21.2-1
Known Historic Sites Within the APE**

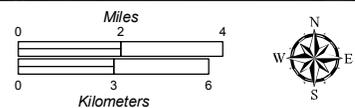


Figure 21.2-2. Agana Bridge #1

21.2.3 Impacts on Section 4(f) Properties

All the build alternatives use the Agana Bridge #1 equally to the same extent. The Agana Bridge #1 is the only § 4(f) property used, other than the *de minimus* park uses.

21.2.3.1 Public Parks

Based on preliminary engineering design information, minor right-of-way (ROW) acquisition or temporary use would be required at three parks located along Route 1, as described below.

- Guam Seal Park** would be affected by GRN #3 (Agana Bridge #1 Replacement). GRN #3 is included under all alternatives. The location of Guam Seal Park is shown on Figure 21.2-3). The bridge replacement activity would not, in itself, require permanent acquisition of land in the park. However, there would be a temporary impact during construction, limiting access to the area of the park near the bridge abutment and Agana River as shown in Photo 21.2-1. Access would be temporarily restricted at the northeast corner of the intersection of Routes 1 and 4. Access from other entrances to the park, as well as access to the walking trail within the park, would continue to be available during the construction period for the bridge replacement.



- Dededo Buffer Strip Park** would be affected by GRN #7 and GRN #6 intersection widening at Routes 1 and 27, and Routes 1 and 26. GRN #7 and GRN #6 are part of all alternatives. The location of Dededo Buffer Strip Park is shown on Figure 21.2-4. While the widening currently depicted in Photo 21.2-2 can likely be adjusted to avoid most of the linear impact, at the intersection with Route 27 the existing roadway appears to encroach on the park ROW by using a narrow strip along Route 1, which totals approximately 500 square feet (46 square meters).
- Chinese Park** would be affected by the GRN #33 intersection widening at Routes 1 and 14, which is part of all alternatives. The location of Chinese Park is shown in Figure 21.2-5. The existing ROW parcel line appears to indicate that the existing roadway is built partially inside the park ROW. Approximately 15,900 square feet (1,477 square meters) of land in the park, consisting of a triangular sliver located on a steep grade in the southeast corner of the park, would need to be acquired to correct this situation and to allow the intersection improvements. The area of encroachment is shown on Photo 21.2-3. Based on field observations, the potentially affected area slopes approximately 45 degrees and appears to be unusable for park purposes.

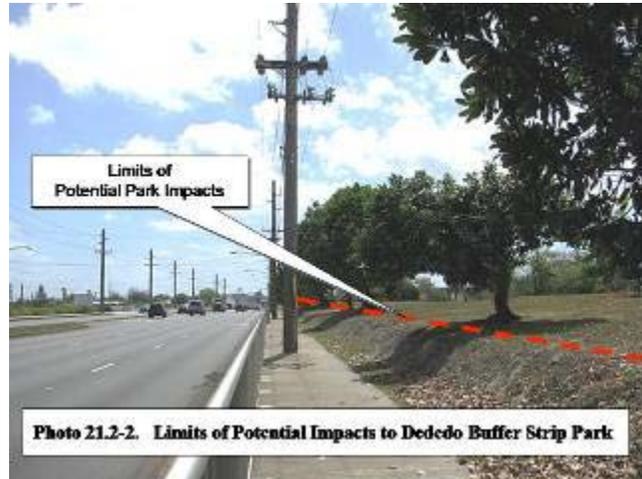


Photo 21.2-2. Limits of Potential Impacts to Dededo Buffer Strip Park

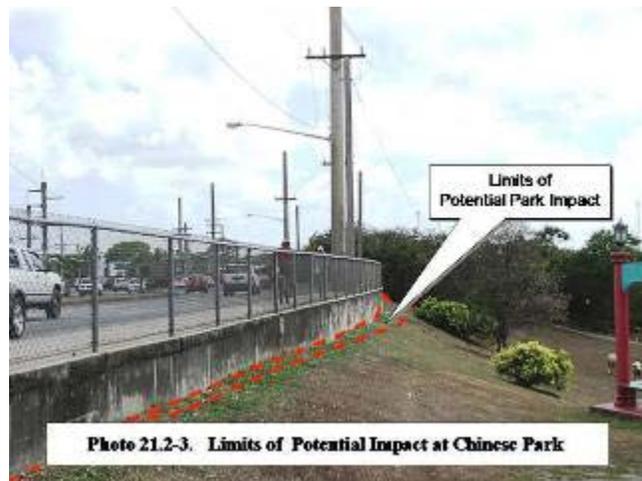


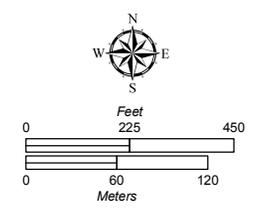
Photo 21.2-3. Limits of Potential Impact at Chinese Park

The above information is subject to change during the detailed engineering design phase. Some design adjustment could also minimize impacts to the existing parklands to ensure the project does not adversely affect important park features, attributes, or activities. After public review and comment on the Draft EIS and § 4(f) Evaluation, FHWA coordinated with respective park officials to determine whether the project would adversely affect the protected activities, features, or attributes of the park. That coordination is described below (under Section 21.2.5, § 4(f) Coordination), and it led respective park officials to concur with FHWA in the determination that the project would have a “de minimus” (of minimum importance) impact to the park. Because construction of the proposed improvement projects would be centered on the existing roadway corridor and intersections, no park closure is anticipated during the peak construction year.



Figure 21.2-3
Potential Use of Guam Seal Park

- Legend**
-  Military Installation
 -  Route Number
 -  Project Locations and GRN#
 -  Bridge Replacement
 -  Intersection Improvement
 -  Pavement Strengthening
 -  Widening/Pavement Strengthening
 -  Park Locations
 -  Park Takes



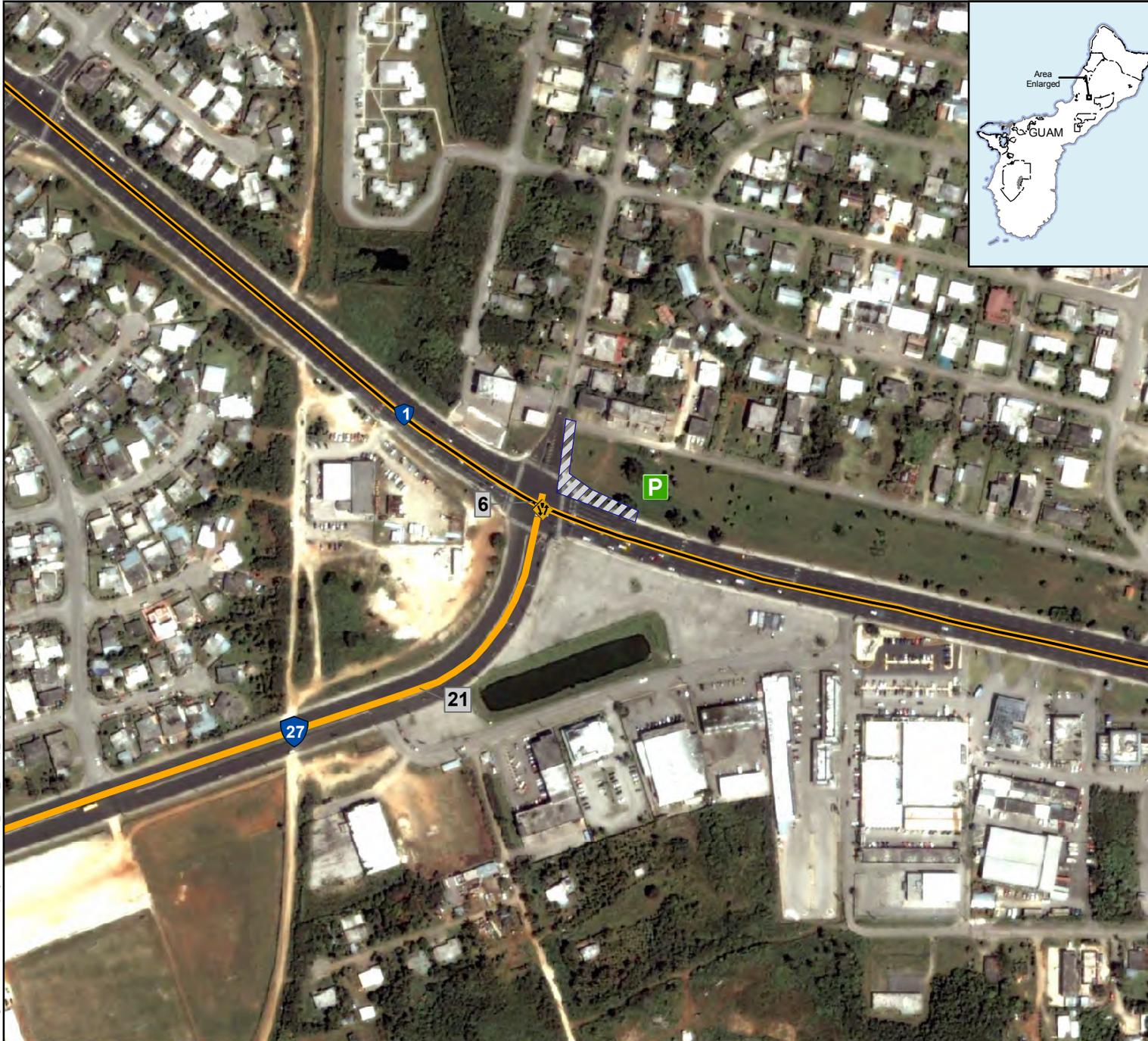


Figure 21.2-4
Potential Use of
Dededo Buffer
Strip Park

Legend

-  Military Installation
-  Route Number
-  Project Locations and GRN#
-  Intersection Improvement
-  Pavement Strengthening
-  Park Locations
-  Park Takes

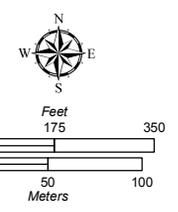
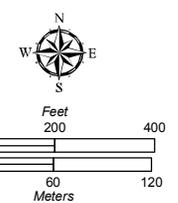




Figure 21.2-5
Potential Use of Chinese Park

Legend

-  Military Installation
-  Route Number
-  Project Locations and GRN#
-  Intersection Improvement
-  Pavement Strengthening
-  Park Locations
-  Park Takes



Historic Sites

Refer to Volume 6, Chapter 14, for a full discussion of the historic sites potentially affected by the GRN projects. Effects on known historic sites are summarized in Table 21.2-1. These effects are essentially the same for all four build alternatives. Table 21.2-1 lists known historic sites in relation to GRN projects. The table excludes potential impacts to archaeological sites that are not considered § 4(f) resources. The War in the Pacific National Historic Park straddles Route 1 within GRN #13. It includes both Asan Invasion Beach and Memorial Beach. All three sites are historic properties.

Table 21.2-1. Effects of All Alternatives on Known Historic Sites

<i>GRN Number</i>	<i>Historic Sites</i>	<i>Section 106 Effect</i>
1	Cormoran Monument, U.S. Naval Cemetery Fortification	The Cormoran Monument would not be affected. This is a pavement strengthening project; therefore, the improvements do not extend beyond the existing roadway.
3	Agana Bridge #1	Project 3 would replace the NRHP-eligible Agana Bridge #1. As such, it would constitute an Adverse Effect. Guam SHPO has indicated that the bridge parapets are its sole significant character-defining (eligible) features.
13	Asan Invasion Beach, Memorial Beach Park, War in the Pacific National Historical Park	No historic properties affected.
14	Asan World War II Memorial	No historic properties affected.
15	San Nicholas Bridge, Agana Spanish Bridge, Guam Heroes Memorial and Skinner Plaza, Taitano House, Garrido House, Toves House	No historic properties affected.
24	Atantano Shrine	No historic properties affected.

Legend: SHPO = State Historic Preservation Office; GRN = Guam Road Network; NRHP = National Register of Historic Places; U.S. = United States.

21.2.4 Measures to Minimize Harm to Section 4(f) Properties

21.2.4.1 Public Parks

§ 4(f) requires all possible planning to minimize harm if a non-de minimus use occurs. Accordingly, to minimize the park encroachment on recreational land at Chinese Park, the Guam Department of Public Works (GDPW) would evaluate the feasibility of constructing a retaining wall, which would be approximately 20 feet (6.1 meters) high; aesthetic treatment could be used to minimize the visual effect of the wall. Measures to further minimize park use at Guam Seal Park and Dededo Buffer Strip Park would also be considered during the detailed engineering design phase.

To ensure maintenance of access to public parks, the GDPW would develop a Traffic Management Plan for implementation during construction activities. The Traffic Management Plan would identify and provide alternate traffic detour routes, construction materials hauling routes, bus stops, transit routes and operation hours, pedestrian routes, and residential and commercial access routes to be used during the construction period.

The GDPW would also develop an outreach program to keep residents, tourists, businesses, and any service providers within the area informed, and to inform surrounding communities about the project construction schedule, areas affected by traffic, the Traffic Management Plan, and other relevant project information.

21.2.4.2 Historic Sites

GRN #3 would replace the NRHP-eligible Agana Bridge #1. A Memorandum of Agreement (MOA) is being developed pursuant to Section 106 among FHWA, Guam SHPO, and GDPW to resolve this adverse effect. The MOA stipulations will include incorporating into the new bridge's structural design parapets emulating the architectural style of the original parapets to reflect the character and feel of the historic bridge.

As described in Volume 6, Chapter 14, FHWA would be responsible for further work, including any sub-surface testing to identify historic properties, where necessary. Data recovery measures, if required, would be implemented, where appropriate, as determined through Section 106 consultation with the Guam SHPO and other cultural resources stakeholders. Monitoring may be required for some GRN projects.

21.2.5 Section 4(f) Coordination

Public notice and an opportunity for review and comment concerning the project's effects on protected activities, features, or attributes of § 4(f) properties must be provided (per 23 CFR §774.5(2)(i)). FHWA has satisfied this coordination requirement because the Draft EIS was released to the public on November 20, 2009, for a 90-day period. During the 90-day period, the public was encouraged to review and submit comments on the Draft EIS. Four public hearings were held on Guam to provide an opportunity for the community to submit both oral and written comments regarding the Draft EIS. Two written comments pertaining to parkland impacts and one comment regarding the GNWR were received. The responses to the comments were as follows:

- The first comment stated that the affected parkland should be replaced prior to the roadway construction. FHWA clarified that the required acquisition of the parkland would be minimal and no parkland replacement would be needed.
- The second comment stated that the federal government should pay for the retaining wall construction near Chinese Park because the proposed roadway improvement is a part of the military action. FHWA responded that funding for the design and construction of the retaining wall would be requested through the Defense Access Road program. Maintenance costs would be the responsibility of the GDPW because they would own the facility.
- The third comment stated that § 4(f) applies to the preservation of wildlife and waterfowl refuges and by encroaching on the GNWR, the DoD would potentially cause harm to wildlife and waterfowl protected in that area, and that the proposed military actions would directly negatively affect wildlife outside the GNWR; therefore, the Final EIS should treat the GNWR as subject to § 4(f). FHWA responded that § 4(f) only applies to those publicly owned lands for which the officials having jurisdiction determine that the "major purpose" is to function as a park, recreation area, or refuge. Wildlife protection is not the major purpose of the GNWR Overlay. The officials that have jurisdiction over administering this property, the DoD, recognized and codified in the agreement with the U.S. Fish and Wildlife Service that the military needs of the agency take precedence and shall receive priority consideration over the mission of the U.S. Fish and Wildlife Service.

A meeting between FHWA, GDPW, and Guam Department of Parks and Recreation (GDPR) was held on January 12, 2010, to discuss the three parks affected by the GRN projects. Four GDPR representatives attended the meeting: Joseph Duenas (Director), Jose Quinata, Jose Garrido, and William Hernandez. The meeting included discussions about each of the potentially affected parks and FHWA's intent to issue a *de*

minimus impact finding for each of the properties. The GDPR representatives did not express any issues with the projects or their potential effects on the parks at the time of the meeting. The meeting was documented in a letter from FHWA to GDPR dated April 11, 2010 (see Attachment 3), which included a request for GDPR's written concurrence that the proposed GRN projects would not adversely affect protected activities, features, or attributes of Guam Seal Park, Dededo Buffer Strip Park, and Chinese Park, thus allowing the FHWA to issue a *de minimus* impact finding for each of these three properties. The GDPR concurrence letters are attached (see Attachment 4).

Section 106 coordination with the Guam SHPO is ongoing. Guam SHPO representatives are visiting each project site to assist with National Historic Preservation Act § 106 compliance efforts (see Volume 6, Chapter 14, for full § 106 coordination details). A full list of historic properties and potential effects was submitted to the Guam SHPO and consultation is ongoing (see Attachment 1). Some historic properties may not be discovered through archival research and surface surveys. An MOA is being developed between FHWA and Guam SHPO to govern these situations. Segments of roadway would be designated by their potential to hold historic properties. This assessment would be compiled using previous archaeological investigations, historic maps, interviews, ethnohistoric accounts and an understanding of post-depositional site formation processes. These evaluations would be completed in consultation with the Guam SHPO and the National Park Service (NPS).

21.2.6 Section 4(f) Determination

21.2.6.1 Public Parks

For each of the three affected public parks (Guam Seal Park, Dededo Buffer Strip Park, and Chinese Park), the use is considered *de minimus* when, after taking into consideration appropriate mitigation measures and both public and official comments, it has been determined that:

- The GRN use of the three properties, each considered on an individual basis, with avoidance, minimization, enhancement or mitigation actions incorporated into the project plans, would not adversely affect the activities, features, and attributes that qualify the properties for protection under § 4(f),
- The officials with jurisdiction over the park properties (GDPR) have agreed, in writing, that the use will not adversely affect the features and attributes of the properties, and they have been informed by FHWA of their intent to make a *de minimus* finding based on that agreement, and
- The public has been provided an opportunity to review and comment on the effects of the project on the protected activities, features, and attributes of the § 4(f) properties.

FHWA has considered each of these resources on an individual basis and agrees that a *de minimus* determination is appropriate and therefore fulfills all § 4(f) requirements for the affected park resources.

21.2.6.2 Historic Sites

FHWA has determined that there is no feasible and prudent alternative to the use of the NRHP-eligible Agana Bridge #1 based on the analysis conducted. This determination was made in consultation with the Guam SHPO, resulting in an MOA to be executed including stipulations that amount to measures to minimize harm. FHWA has therefore determined that the bridge replacement activity meets the applicability criteria as set forth in the Nationwide Programmatic § 4(f) Evaluation and Approval for FHWA Projects that Necessitate the Use of Historic Bridges, dated July 5, 1983. The programmatic § 4(f) Evaluation is attached hereto (see Attachment 5).

21.3 SECTION 6(F) EVALUATION

21.3.1 Purpose

A separate law that sometimes also relates to § 4(f) is § 6(f) of the Land and Water Conservation Fund Act (LWCFA) of 1965 (16 U.S.C. § 4601-4). § 6(f) established a funding source for matching grants to state and local governments for recreation planning, acquisition and development, and acquisition of land, waters, or wetland areas. § 6(f), administered by the Department of Interior's NPS, prohibits any project that proposes impacts to, or the permanent conversion of, outdoor recreation property acquired or developed with these grants unless alternatives are assessed and steps are taken to identify, evaluate, and supply replacement parkland. In addition, the Secretary of the Department of Interior, acting through the NPS, must grant approval for the conversion and replacement parkland.

Relevant information regarding the following is a prerequisite for conversion:

- All practical alternatives have been evaluated;
- The fair market value of the replacement property is at least equal to that of the converted property;
- The replacement property is at least as useful and of similar location as the converted property;
- The replacement property has met the eligibility requirements for LWCF assisted acquisition as outlined in 36 CFR 59.3(b)(4)(i-iv);
- All other relevant agency coordination has been completed, including compliance with § 4(f); and
- The proposed conversion and replacement is in accordance with the Statewide Comprehensive Outdoor Recreation Plan, which identifies public recreation trends and provides strategies for improving outdoor recreation within the state.

Because both laws can overlap the same properties, § 4(f) and § 6(f) are often discussed in the same context because it is not uncommon for recreational resources and parklands to receive LWCFA funding, thereby making § 6(f) at times integral to the § 4(f) process.

Because the Guam roadway project would potentially involve the conversion of a § 6(f) resource, this chapter identifies the affected parkland resources in the project area and describes measures to meet the federal conversion requirements.

21.3.2 Section 6(f) Properties

Two parks within the proposed GRN projects received Land and Water Conservation Fund Act grants, Chinese Park and Dededo Buffer Strip Park, and are thus lands protected under § 6(f). After a review of the § 6(f)(3) boundary maps were conducted, it was determined that § 6(f) only applied to Chinese Park. The area to be acquired for the roadway project from the Dededo Buffer Strip Park is outside of the § 6(f)(3) boundary map for the park.

All project alternatives would require acquisition of a portion of Chinese Park, which is both a § 4(f) and 6(f) property, because Chinese Park would be affected by the GRN #33 intersection widening at Route 1 and 14A. The above information is subject to change during the detailed engineering design phase. Some design adjustment could also minimize impacts to the existing parklands to ensure the project does not adversely affect important park features, attributes, or activities. After public review and comment on the Draft EIS and § 4(f) Evaluation, FHWA coordinated with respective park officials to determine whether the project would adversely affect the protected activities, features, or attributes of the park. That

coordination is described in Section 21.2.5, § 4(f) Coordination. Additional coordination will be conducted with Guam Department of Parks and Recreation and the NPS when more detailed information is known regarding the amount of park land required.

21.3.3 Impacts on Section 6(f) Properties

Two parks within the proposed GRN projects area are covered under § 6(f): Chinese Park and Dededo Buffer Strip Park. After a review of the § 6(f)(3) boundary maps were conducted, it was determined that § 6(f) only applied to Chinese Park. The area to be acquired for the roadway project from the Dededo Buffer Strip Park is outside of the § 6(f)(3) boundary map for the park. For Chinese Park, only a portion of land at Chinese Park would require acquisition by the proposed project and would be converted to non-park use.

21.3.4 Measures to Minimize Harm to Section 6(f) Properties

To mitigate impacts caused by the project's required acquisition and conversion of an outdoor recreation park covered under § 6(f), namely Chinese Park, all efforts will be made to minimize the amount of land needed for the project during the planning and design process. While the precise proposed replacement parkland has not yet been identified, the property to replace the affected lands would comply with the policies outlined in the LWCF State Assistance Program Manual, which requires that the replacement property be of reasonably equal recreation value, location, and usefulness.

21.3.5 Section 6(f) Coordination

On June 10, 2010, FHWA received a letter from the Department of the Interior regarding the applicability of § 6(f) of the LWCF Act to the three parks affected under § 4(f), among other things. The DOI letter indicated that FHWA and the Navy should coordinate with the Director of GDPR to identify impacts to properties protected by § 6(f) and the required mitigation measures. The letter also indicated that the NPS must approve conversions of § 6(f) properties. FHWA then requested the § 6(f)(3) boundary maps for the said parks from GDPR and determined that only land to be acquired from Chinese Park is protected under § 6(f). As design progresses, FHWA and GDPW will coordinate with GDPR and the NPS to request approval of the potential park property conversion and any proposed replacement property. Upon identification of the intended replacement property, an independent appraisal value for both the affected property and the replacement property will be provided to the NPS for their review and approval.

Attachment 1. FHWA April 15, 2010 Letter to Guam SHPO

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**U.S. Department
of Transportation
Federal Highway
Administration**

Hawaii Federal-Aid Division

April 15, 2010

300 Ala Moana Blvd., Rm 3-306
Box 50206
Honolulu, HI 96850
Phone: (808) 541-2700
Fax: (808) 541-2704
<http://www.fhwa.dot.gov/hidiv>

In Reply Refer To:
HDA-HI

Lynda Aguon
State Historic Preservation Office
Guam Historic Resources Division
490 Chalan Palasyo
Agana Heights, 96910

RECEIVED

APR 16 2010

9:40 AM

**Guam Historic
Resources Division**

Dear Ms. Aguon,

The Federal Highway Administration (FHWA) is planning the subject projects, which are being studied in the Environmental Impact Statement/Overseas Environmental Impact Statement (EIS/OEIS) entitled "Guam and CNMI Military Relocation – Relocating Marines from Okinawa, Visiting Aircraft Carrier Berthing, and Army Air and Missile Defense Task Force." As federal undertakings, the project will comply with Section 106 of the National Historic Preservation Act (NHPA). The FHWA has made an effort to consider potential impacts to historic properties, defined as cultural resources deemed eligible for nomination to the National or Guam Register of Historic Places (NRHP/GRHP), and to afford the Guam State Historic Preservation Office (SHPO) opportunity to comment on the undertaking. Please review this letter, and provided you concur with the determinations provided in the tables and maps, please sign and date at the end of this letter, and return to me.

Project Description

The intent of these projects is to improve the existing roadway network due to the anticipated military build-up. The improvements would result in strengthened roadways, bridge replacements, increased roadway capacity, roadway realignment, new or modified intersections to military bases, and enhanced roadway safety. While there are many individual projects, they fall into one of six categories:

- **Pavement Strengthening** projects may apply seals or overlays to existing roadways or replace existing asphalt and base. Construction is generally limited to existing pavement. These projects have little to no potential to effect historic properties.
- **Intersection Improvements** add turn lanes or realign intersections. These projects have may minor impact outside of existing Right-of-Way.
- **Bridge Replacement** projects would replace bridges over stream or river crossings. There would be ground disturbance over a relatively small area beside and beneath the bridge.



- **Widening** projects will add lanes to existing roads, and increase the width of existing pavement. These projects require new Right-of-Way
- **New Construction** projects propose re-aligning a segment of Route 15 on to Department of Defense (DoD) land, and a new route between the Route 1 and 16 intersection to South Finegayan. This would create a new roadway.
- **Access Points** would provide access to military land. They would have impacts beyond existing pavement and may exceed Right-of-Way.

Statement of APE

The project team met with staff from the Guam SHPO on December 5, 2008, to discuss the projects, and to determine the Area of Potential Effect (APE). As a result of this meeting, it was determined that the APE shall be one parcel adjacent to a project roadway for non-archaeological properties, and 30 feet from edge of construction for archaeological properties. APEs are marked on the GRN project map book, provided to Guam SHPO on February 24 2010.

Section 106 Consultation

For the Guam Roads Network, consultation with Guam SHPO included several meetings and field visits. These are listed below.

December 5, 2008

Attendees: Vic April (Guam SHPO), Patrick Lujan (Guam SHPO), Fred Otte (PB), Jason Bright (PB).

Discussion: The purpose of this meeting was to discuss the Guam Roads Network, and consult with Guam SHPO regarding the area of potential effect, work effort, and expectations for each project. Jason Bright outlined the number of types of projects associated with the Haul Road Network (HRN) EIS, and summarized them by project type, and by those that do, and do not, exceed existing right-of-way.

February 26, 2009

Attendees: Sandy Yee (IARII), Vic April (Guam SHPO)

Discussion: Field visit with Guam SHPO to project sites. During that visit, a determination of No Effect to historic properties was made for many of the roadway areas. Enclosure A lists the GRN road projects and identifies findings of effect. It also identifies the archaeological actions to be taken in road projects for which there is a possibility of historic sites remaining.

October 22, 2009

Attendees: Jason Bright (PB), Fred Otte (PB), Lynda Aguon (Guam SHPO), William Hernandez (Guam SHPO).

Discussions. This teleconference with Guam SHPO discussed the projects, and Section 106 consultation thus far. It covered locations, project descriptions, and the status of probability areas already developed.

February 23, 2010

Attendees: Sandy Yee (IARII), Leslie Lahndt (PTG), Jose Garrido (Guam SHPO), William Hernandez (Guam SHPO), Jason Bright (PB).

Discussion: This meeting toured project locations with project staff and staff from Guam SHPO. It covered historic properties along project roadways, and potential for undocumented properties. Hagåtña (Agana) Bridge (GRN project #4) was visited, discussed and photographed. Areas of potential effect were also discussed.

February 26, 2010

Attendees: Richelle Takara (FHWA), William Hernandez (Guam SHPO), Lynda Aguon (Guam SHPO), Jason Bright (PB), Sandra Cruz-Miller (Guam AG office).

Discussion: This meeting to discuss several FHWA projects covered potential mitigation for effects to the Hagåtña (Agana) Bridge.

Historic Properties

Evaluation of the project's potential to impact historic properties included consulting a number of sources. These include:

- 1) GIS files of historic site locations on Guam
- 2) *Soil Survey of the Territory of Guam* in 1988 by the U.S. Department of Agriculture *Research Design/Work Plan For Archaeological Survey, Testing, and Monitoring Related to Island Wide Road Improvements for the Haul Road Network and Guam Road NEPA, Island of Guam* by, IARII
- 3) Existing literature regarding archaeology, history, ethnography and ethnohistory of the island, including a field inspection of some of the routes included in this project.
- 4) Two field visits with Guam SHPO staff.

Many of the project roadways, and surrounding terrain, have been inventoried in the past. Yee and Tonamari-Tuggle (2009) summarize previous research and inventory. The diverse sources of data listed above indicate that 20 historic properties, including one historic district, have been identified within the APE of a project roadway. These are described in Table 1.

Only one of these is a new determination. The new determination is the Hagåtña (Agana) Bridge, which is in both east and westbound lanes on Route 1. The bridge is essentially a box culvert with stylized concrete parapets. The bridge was originally built in 1945, during the American rehabilitation of Hagåtña after World War II. It was originally a two lane bridge, then was widened to a four lane bridge¹. It was widened to six lanes in 1977, but data regarding the dates of these widenings, and the extent of modifications, are not available, as most details were destroyed in a typhoon. Figure 1 is a 1945 aerial photograph of Hagåtña, and shows Marine Corps Drive as a two-travel lane facility. Because it has been widened on at least two occasions, the structure probably lacks integrity. In the field it, appeared as though the box structure was relatively young. Only the white parapets along the bridge appear original, but even this observation cannot be substantiated. Upon a field visit and discussion with Guam SHPO, the bridge was found to be eligible for nomination to the National Register of Historic Places under criterion A, for its association with events that have made a significant contribution to the broad patterns of Hagåtña's history. However, only the parapets were considered original and contributing elements.

FHWA is aware that there may be undocumented properties in some locations, such as subsurface archaeological sites, or properties hidden in dense vegetation. For this reason, the FHWA has associated each roadway with a series of probability statements, capturing the likelihood of encountering undocumented cultural resources. Roadways are characterized as (1) No/Low Probability Areas, (2) Medium Probability Areas, or (3) High Probability Areas, defined as follows:

- No/Low Probability Areas: These areas contain no surface sites and include reclaimed fill lands or heavily disturbed areas. No/Low Probability Areas are also areas that have been previously tested and were found not to contain subsurface resources and are areas not likely to contain subsurface materials based on known social practices or history of the area.

- **Medium Probability Areas:** These areas have not been surveyed and may have the potential to contain sites or are areas that contain no surface sites but have the potential to encounter subsurface historic resources based on known social practices or history of the area.
- **High Probability Areas:** These areas contain known surface and/or subsurface sites or are areas where old maps, documents, or legends indicate former villages, towns, or other types of activity area.

Effects to known historic properties are discussed below. In addition, potential impact undocumented resources, is considered.

Findings of Effect

There are 20 historic properties within the APEs of the road projects (see Enclosure A for all road projects and Section 106 findings). Only seven projects have known historic properties within their APEs. Effects to those 20 known resources are summarized in Table 1, and explained below.

Table 1: Historic Properties identified within APE.

Historic Property	Description	Finding of Effect
Cormoran Monument,	The Cormoran Monument is a monument to the sailors lost aboard the <i>Cormoran</i> . It is located within the U.S. Naval Cemetery. It was listed on the GRHP July 24, 1974.	No effect (No Historic Properties Affected)
U.S. Naval Cemetery	The U.S. Naval Cemetery in Agana is listed on the NRHP and GRHP.	No Adverse Effect
Aspaalas #675	Archaeological site	No effect (No Historic Properties Affected)
War in the Pacific National Historic Park.	This property includes several units, including Memorial Beach Park and Asan Invasion Beach along Route 1.	No effect (No Historic Properties Affected)
Memorial Beach Park	Memorial Beach Park is listed on the NRHP and GRHP. It is the site of the U.S. invasion, July 21, 1944. It is included within the War in the Pacific NHP.	No effect (No Historic Properties Affected)
Asan Invasion Beach	Asan Invasion Beach is listed on the NRHP and GRHP. It is the site of the U.S. invasion, July 21, 1944. Part of this property is included within the War in the Pacific National Historic Park (NHP).	No effect (No Historic Properties Affected)
Adelup RT Burial	Archaeological site/Burial	No effect (No Historic Properties Affected)
Asan WWII Memorial	Asan Patriots of World War II Memorial is listed on the GRHP, and it is eligible for listing on the NRHP.	No effect (No Historic Properties Affected)
Asan archaeological site #1S3	Archaeological site	No effect (No Historic Properties Affected)
Toves House	Built in 1950, architecturally significant as an example of the Pacific Spanish colonial vernacular architecture	No effect (No Historic Properties Affected)
Agana Spanish Bridge (San Antonio Bridge)	Listed on the NRHP and GRHP. Stone arch bridge ca. 1800.	No effect (No Historic Properties Affected)
San Nicholas Bridge	San Nicholas Bridge is located on an adjacent parcel.	No effect (No Historic Properties Affected)
Hagátña (Agana) Bridge	The bridge was built in 1945, during the	Adverse Effect, mitigated to No

	rehabilitation of Hagåtña after World War II.	Adverse Effect.
Guam Heroes Memorial	Eligible for the NRHP/GRHP.	No effect (No Historic Properties Affected)
Skinner Plaza	Eligible for the NRHP/GRHP.	No effect (No Historic Properties Affected)
Taitano House	Eligible for the NRHP/GRHP.	No effect (No Historic Properties Affected)
Battle of Finegayan Battlefield	3 August 1944 Battle between American and Japanese troops. Private First Class Frank Peter Witek received the Medal of Honor for his actions during this battle. NRHP/GRHP eligible.	No effect (No Historic Properties Affected)
Garrido House	Listed on the GRHP in 1984.	No effect (No Historic Properties Affected)
Agana-Hagatna Pillbox	Listed on the NRHP and GRHP. Japanese coastal defense fortifications.	No effect (No Historic Properties Affected)
Hagåtña (Agana) Historic District	9,000 square meter area consisting of 5 structures, crosses a project roadway.	No effect (No Historic Properties Affected)
Atantano Shrine	Listed on the NRHP and GRHP. This shrine marks the location where Piti villagers honored 18th century Spanish Governor Felipe Cerain for constructing a road that connected the southern half of the island with the capital of Hagåtña.	No effect (No Historic Properties Affected)
Unnamed prehistoric site	Archaeological site	Adverse Effect

Project 1 is a pavement strengthening project past the US Naval Cemetery and Cormoran Monument. Although the improvements do not extend beyond the existing roadway, the geographic information system right-of-way (ROW) parcel line appears to indicate that the existing roadway is built partially inside the cemetery ROW. Approximately 600 square feet (ft²) (56 square meters [m²]) of land would need to be acquired to correct this situation. Because the project will not impact any burials or elements contributing to the cemetery's eligibility but will require a small piece of land, FHWA finds that the project would have **No Adverse Effect** on the cemetery. The monument will not be affected at all.

Project 3 would replace the Hagåtña (Agana) Bridge. As such it would constitute an Adverse Effect. However, it is likely that the bridge has lost its integrity and associations with its historic past through at least two widenings. Moreover, Guam SHPO has indicated that the parapets along the bridge are the only contributing historic elements worth preserving. An MOA is currently being developed to mitigate adverse effects. Stipulations will include providing new parapets in the style of the existing parapets, in order to preserve the look and feel of the historic bridge. HAER documentation and archival-quality photos will also be completed. Because the project will reconstruct the bridge in its historic location, and mitigation will preserve the only remaining historic attributes and features contributing to the bridge's NRHP eligibility, FHWA finds that, **with mitigation**, the project would have **No Adverse Effect** on Hagåtña (Agana) Bridge.

Project 13 is a pavement strengthening project along Route 1 from Route 11 to the Asan River, with no widening or impacts outside the roadway prism. Aspaalas #675, Memorial Beach Park, and Asan Invasion Beach are all adjacent to Route 1 in this segment. Because the project would not leave the existing roadway, the project will have no effect on these historic properties.

Project 14 is a pavement strengthening project along Route 1 from the Asan River to Route 6, with no widening or impacts outside the roadway prism. Adelup RT Burial #300, Asan WWII Memorial, and Asan archaeological site #153 are all adjacent to Route 1 in this segment. Because the project would not leave the existing roadway, the project will have no effect on these historic properties.



Figure 1. 1945 aerial photo of Hagåtña looking west. North is to the right. Routes 1, 4 and 8 intersect in the lower right, and the Hagåtña River can be seen below center. Plaza de Espana is visible left of center.

Project 15 is a pavement strengthening project along Route 1 from Route 6 to Route 4, with no widening or impacts outside the roadway prism. Toves House, Agana Spanish Bridge (San Antonio Bridge), San Nicholas Bridge, and the Guam Heroes Memorial, are all adjacent to Route 1 in this segment. Because the project would not leave the existing roadway, the project will have no effect on these historic properties.

Project 16 crosses portions of the Hagåtña (Agana) Historic District walking tour/path. It includes widening of Route 8, no individual historic properties would be impacted. Therefore, the project will have no effect on historic properties.

Project 18 is a pavement strengthening project that extends towards the Battle of Finegayan Battlefield. The precise boundaries of the battlefield are uncertain but likely extend into the APE. The site is not currently listed on the NRHP or GRHP, but Guam SHPO staff indicated it is eligible during the February 23, 2010 field visit. Because the project would not leave the existing roadway, the project will have no effect on this historic property.

Project 24 is a pavement strengthening project along Route 1 from Route 11 to Route 2A, with no widening or impacts outside the roadway prism. The Atantano Shrine is located on a parcel adjacent to Route 1, but the shrine itself is located more than 270 feet from the road. Because the project would not leave the existing roadway, the project will have no effect on this historic property.

Project 36 proposes to re-align Route 15 on to Department of Defense property inland from its current location. This area has been subject to pedestrian inventory. One unnamed archaeological site is located within the APE. The proposed re-alignment would cut through the site. Therefore, the project would have an **Adverse Effect** on the archaeological site. An MOA is currently being developed to mitigate adverse effects.

In addition to known historic properties, FHWA has made an effort to consider potential impacts to undocumented properties. To do so, each roadway is associated with a probability statement, as described in Historic Properties above. Enclosure 1 provides a list of all GRN projects and project-specific Section 106 findings of Effect.

No further review under Section 106 would be required for areas designated as No/Low Probability Areas. Medium Probability Areas would be subject to inventory, monitoring, or testing. Prior to any disturbance or excavation, work plans would be developed and reviewed by the appropriate Guam SHPO. In High Probability Areas, sites would be avoided if possible. If sites are impacted, a mitigation plan would be developed and concurred upon by the Guam SHPO. For these reasons FHWA has found that for all roadways designated **No/Low Probability** the appropriate finding of effect is **No Historic Properties Affected**. For **Medium and High Probability** Areas, the appropriate finding is **No Adverse Effect**. These assessments are included in Enclosure A.

All evaluations would be completed in consultation with the Guam SHPO and appropriate cultural resources stakeholders. The PA would also provide stipulations for treatment in case of emergency discoveries, the review process, and report requirements.

Summary

The appropriate finding of effect for the projects as a whole is Adverse Effect, as Project 36 would impact an archaeological site. The GRN projects would not have an Adverse Effect to any other known historic properties. FHWA requests written concurrence on the determination of eligibility for Hagåtña (Agana) Bridge, and all findings of effect listed above. Because some areas will need cultural resources monitoring to check for undocumented resources, FHWA will continue to coordinate with GHPO to develop a monitoring plan, and to report findings.

If you have questions or require additional information, please contact myself at (866)233-8177 extension 311 or richelle.takara@fhwa.dot.gov or Jason Bright at bright@pbworld.com, (801) 288-3248.

¹ Peter "Pete" Casarez. *U.S. Latino and Latina World War II Oral History Project*. University of Texas Libraries, Austin. TX. http://lib.utexas.edu/ww2latinos/template-stories-indiv.html?work_urn=urn%3Autl%3Awwlatin.015&work_title=Casarez%2C+Peter%22Pete%22

Sincerely yours,



Richelle M. Takara, P.E.
Transportation Engineer

Enclosures: Enclosure A, GRN projects with Section 106 findings.
GRN map book provided to Guam SHPO February 24, 2010.

cc: Andrew Leon Guerrero, DPW
Joaquin Blaz, DPW
Paul Wolf, PB

I, the undersigned, concur with the APE, determination of eligibility, and findings of effect stated above for the Guam Haul Roads Network projects.

Lynda Bordallo Aguon
State Historic Preservation Officer

Date

GUAM HRN PROJECT LIST

GRN #	Region	FHWA #	Route	Segment Limits	Requirements/Description	Project Type	Historic Properties in APE	Finding of Effect	Probability Area Recommendation
1	Central	GU-DAR-2001(006)	1	Route 1 / Route 8 Intersection	Intersection Improvements (.15 mi on Rte 1 & .09 mi on Rte 8) to provide two left-turn lanes and two right-turn lanes for northbound Route 8 approaching Route 1.	Intersection	US Naval Cemetery and Fortification, Cormoran Monument.	No Adverse Effect to cemetery. No Historic Properties Affected elsewhere	No/Low
2	Central	GU-DAR-2001(014)	1	Route 1 / Route 3 Intersection	Intersection Improvements (.24 mi on Rte 1 & .04 mi on Rte 3) to provide southbound left, combined left/right, and free right with accel lane; east to north double left-turn lane.	Intersection	None	No Historic Properties Affected	No/Low
3	Central	GU-DAR-2001(010)	1	East of Route 4	Agana Bridge Replacement	Bridge Replacement	Agana Bridge	mitigated No Adverse Effect	No/Low
4	Apra Harbor	GU-DAR-2011(001)	11	Port to Intersection with Route 1	Pavement strengthening (two lanes)	Pavement Strengthening	None	No Adverse Effect	Medium
5	Apra Harbor	GU-DAR-2011(002)	11	Route 1 / Route 11 Intersection	Intersection Improvements (.12 mi on Rte 1) to provide additional eastbound left-turn lane.	Intersection	None	No Adverse Effect	Medium
6	Central	GU-DAR-2001(020)	1	Route 27 to Chalan Lujuna	Pavement strengthening (four lanes)	Pavement Strengthening	None	No Historic Properties Affected	No/Low
Inc	Inc	Inc	Inc	Route 1 / Route 28 Intersection	Intersection improvements to provide additional eastbound left-turn lane; southbound Route 28 approach to include two right-turn lanes and combined left/through lane.	Intersection	None	No Historic Properties Affected	No/Low
Inc	Inc	Inc	Inc	Route 1 / Route 26 Intersection	Intersection improvements to provide additional westbound left-turn lane, eastbound right-turn lane; northbound Route 26 approach to include left-turn, combined left-turn/right-turn, and right-turn lane.	Intersection	None	No Historic Properties Affected	No/Low
7	Central	GU-DAR-2001(016)	1	Route 3 to Route 27	Pavement strengthening (six lanes)	Pavement Strengthening	None	No Historic Properties Affected	No/Low
Inc	Inc	Inc	Inc	Route 1 / Route 27 Intersection	Intersection improvements to provide double eastbound left-turn lanes, eastbound right-turn lane, and triple westbound left-turn lanes. Northbound Route 27 approach to include left-turn, combined left-turn/through and two right-turn lanes.	Intersection	None	No Historic Properties Affected	No/Low
Inc	Inc	Inc	Inc	Route 1 / Route 27A Intersection	Intersection improvements to provide additional eastbound left-turn lane, additional northbound Route 27A right-turn lane.	Intersection	None	No Historic Properties Affected	No/Low
8	North	GU-DAR-2003(001)	3	Route 28 to Route 1	Pavement strengthening (four lanes), including re-establishment of 2nd SB through lane at Okkodo HS access	Pavement Strengthening	None	No Historic Properties Affected	No/Low
9	North	GU-DAR-2003(004)	3	NCTS Finegayan to Route 28	Pavement strengthening, widen from 2 lanes to 4 lanes, add median and shoulders	Widening	None	No Adverse Effect	Medium
Inc	Inc	Inc	Inc	Route 3 / Route 28 Intersection	Intersection improvements to provide additional southbound left-turn lane and add northbound right-turn lane.	Intersection	None	No Adverse Effect	Medium
10	North	GU-DAR-2003(008)	3	NCTS Finegayan to Route 9	Pavement strengthening, widen from 2 lanes to 4 lanes, add median and shoulders	Widening	None	No Adverse Effect	Medium
Inc	Inc	Inc	Inc	Route 3 / Route 3A Intersection	Eliminate Y-intersection, provide four-legged intersection with one left-turn and one right-turn lane on Route 3A, a northbound left-turn lane on Route 3.	Intersection	None	No Adverse Effect	Medium
11	Central	GU-DAR-2099(001)	Chalan Lujuna	Route 1 to Route 15	Pavement strengthening (two lanes), Turning lane & intersection improvements for trucks	Pavement Strengthening	None	No Historic Properties Affected	No/Low
12	Central	GU-DAR-2015(006)	15	Smith Quarry to Chalan Lujuna	Pavement strengthening (two lanes), Safety/ Operational Improvements	Pavement Strengthening	None	No Adverse Effect	Medium

GUAM HRN PROJECT LIST

13	Central	GU-DAR-2001(007)	1	Route 11 to Asan River	Pavement strengthening (four lanes)	Pavement Strengthening	Aspaalas #675, Memorial Beach Park, Asan Invasion Beach	No Adverse Effect	High
14	Central	GU-DAR-2001(008)	1	Asan River to Route 6 (Adelup)	Pavement strengthening (four lanes)	Pavement Strengthening	Adelup RT Burial #300, Asan WWII Memorial, Asan archaeological site #153	No Adverse Effect	High
15	Central	GU-DAR-2001(009)	1	Route 6 (Adelup) to Route 4	Pavement strengthening (six lanes)	Pavement Strengthening	Toves House, Agana Spanish Bridge, San Nicholas Bridge #150, Guam Heroes Memorial, Skinner Plaza, Taitano House #1137, Garrido House #1135, Agana-Hagatna Pillbox	No Historic Properties Affected	No/Low
16	Central	GU-DAR-2008(001)	8	Tiyan Pkwy/Route 33 (east) to Route 1	Pavement strengthening, widening from 4/6 lanes to 6 lanes, with median.	Widening	Agana Historic District	No Historic Properties Affected	No/Low
17	Central	GU-DAR-2008(002)	8	Route 10 to Tiyan Pkwy/Route 33(east)	Pavement strengthening (four lanes)	Pavement Strengthening	None	No Historic Properties Affected	No/Low
18	Central	GU-DAR-2016(005)	16	Route 27 to Route 10A	Pavement strengthening (six lanes)	Pavement Strengthening	Battle of Finegayan Battlefield	No Historic Properties Affected	No/Low
Inc	Inc	Inc	Inc	Route 16 / Route 27 Intersection	Intersection improvements to provide additional northbound, southbound left-turn lanes, change westbound right-turn to combined through/right-turn lane.	Intersection	None	No Historic Properties Affected	No/Low
19	Central	GU-DAR-2016(004A)	16	Route 10A to Navy Barrigada Residential Gate	Pavement strengthening (four lanes)	Pavement Strengthening	None	No Historic Properties Affected	No/Low
Inc	Inc	Inc	Inc	Route 16/ Route 10A Intersection	Intersection improvements to provide one additional lane on northbound and southbound off-ramps to provide one left-turn, combined left/through/right-turn and right-turn lane. Restripe to provide additional westbound left-turn lane.	Intersection	None	No Historic Properties Affected	No/Low
63	Central	GU-DAR-2016(004B)	16	Route 10A to Navy Barrigada Residential Gate	Pavement strengthening, widening from 4 to 6 lanes, with median.	Widening	None	No Historic Properties Affected	No/Low
20	Central	GU-DAR-2016(001)	16	Navy Barrigada Residential Gate to Route 8/10	Pavement strengthening (four lanes)	Pavement Strengthening	None	No Historic Properties Affected	No/Low
21	Central	GU-DAR-2027(001)	27	Route 1 to Route 16	Pavement strengthening (six lanes)	Pavement Strengthening	None	No Historic Properties Affected	No/Low
22	North	GU-DAR-2009(002)	9	Route 3 to AAFB (North Gate)	Pavement strengthening, widen from 2 lanes to 4 lanes, with median.	Widening	None	No Adverse Effect	Medium
22a	North	GU-DAR-2009(001)	9	AAFB North Gate to Route 1 (AAFB Main Gate)	Pavement strengthening (two lanes), widen to add median and shoulders	Widening	None	No Adverse Effect	Medium
23	North	GU-DAR-2001(021)	1	Chalan Lujuna to Route 9 (AAFB)	Pavement strengthening (four lanes)	Pavement Strengthening	None	No Historic Properties Affected	No/Low
24	Apra Harbor	GU-DAR-2001(004)	1	Route 11 to Route 2A	Pavement strengthening (four lanes)	Pavement Strengthening	Atantano Shrine	No Adverse Effect	Medium
25	South	GU-DAR-2005(002)	5	Route 2A to Route 17	Pavement strengthening (two lanes)	Pavement Strengthening	None	No Historic Properties Affected	No/Low
Inc	Inc	Inc	Inc	Route 5 / Route 17 Intersection	Intersection improvements to add right-turn lane on Route 17 approaching Route 5.	Intersection	None	No Adverse Effect	Medium
26	Apra Harbor	GU-DAR-202A(001)	2A	Route 1 to Route 5	Pavement strengthening (four lanes)	Pavement Strengthening	None	No Historic Properties Affected	No/Low
27	South	GU-DAR-2005(001)	5	Route 17 to Naval Ordnance	Pavement strengthening (two lanes)	Pavement Strengthening	None	No Adverse Effect	Medium
28	Central	GU-DAR-2026(001)	26	Route 1 to Route 15	Pavement strengthening, widen from 2 lanes to 4 lanes	Widening	None	No Adverse Effect	Medium

GUAM HRN PROJECT LIST

Inc	Inc	Inc	Inc	Route 26 / Route 25 Intersection	Intersection improvements to provide northbound left-turn, through, combined through/right, southbound left-turn, two throughs, and right-turn, eastbound left-turn, left-through, and right-turn lane. Southbound right-turn should have raised island and free right to westbound Route 25 curb lane.	Intersection	None	No Adverse Effect	Medium
29	Central	GU-DAR-2025(001)	25	Route 16 to Route 26	Pavement strengthening, widen from 2 lanes to 4 lanes	Widening	None	No Adverse Effect	Medium
30	Central	GU-DAR-2010(002)	10	Route 15 to Route 8 & 16	Pavement strengthening (four lanes)	Pavement Strengthening	None	No Historic Properties Affected	No/Low
31	Central	GU-DAR-208A(002A)	8A	Route 16 to NAVCAMS Barrigada	Pavement strengthening (two lanes)	Pavement Strengthening	None	No Historic Properties Affected	No/Low
74	Central	GU-DAR-208A(002B)	8A	Route 16 to NAVCAMS Barrigada	Pavement strengthening (two lanes), widen to provide median and shoulders	Widening	None	No Adverse Effect	Medium
32	Central	GU-DAR-2015(001)	15	Route 10 to Connector (Chalan Lujuna end)	Pavement strengthening (two lanes)	Pavement Strengthening	None	No Historic Properties Affected	No/Low
Inc	Inc	Inc	Inc	Route 15 / Route 26 Intersection	Signalize intersection.	Intersection	None	No Historic Properties Affected	No/Low
33	Central	GU-DAR-2001(012)	1	Route 8 to Route 3	Pavement strengthening (six lanes)	Pavement Strengthening	None	No Historic Properties Affected	No/Low
Inc	Inc	Inc	Inc	Route 1 / Route 14 (NSV) Intersection	Intersection improvements to add southbound right-turn lane.	Intersection	None	No Historic Properties Affected	No/Low
Inc	Inc	Inc	Inc	Route 1 / Route 14A Intersection	Intersection improvements to add northbound and southbound left-turn lanes, southbound right-turn lane.	Intersection	None	No Historic Properties Affected	No/Low
Inc	Inc	Inc	Inc	Route 1 / Route 10A Intersection	Intersection improvements to add southbound left-turn lane, northbound right-turn lane.	Intersection	None	No Historic Properties Affected	No/Low
Inc	Inc	Inc	Inc	Route 1 / Route 14B Intersection	Intersection improvements to change eastbound right-turn lane to combined right-turn/left-turn lane.	Intersection	None	No Historic Properties Affected	No/Low
Inc	Inc	Inc	Inc	Route 1 / Route 14 (ITC) Intersection	Intersection improvements to include southbound right-turn lane.	Intersection	None	No Historic Properties Affected	No/Low
Inc	Inc	Inc	Inc	Route 1 / Route 30 Intersection	Intersection improvements to provide additional northbound left-turn lane, change existing lanes on eastbound approach to combined left-turn/through, and two right-turn lanes.	Intersection	None	No Historic Properties Affected	No/Low
35	Central	GU-DAR-2001(003)	1	Various	Replace Bridges (Atantano, Laguas, Sasa, Fonte, Asan 1, Asan 2, Agueda)	Bridge Replacement	None	No Adverse Effect	High
36	Central	GU-DAR-2015(005)	15	Route 15 Realignment	Relocate Route 15 onto existing DoD Property to allow Firing Range in Vicinity	Route 15	Unnamed Prehistoric site	Adverse Effect	High
57	North	GU-DAR-2028(001)	28	Route 1 to Route 3	Pavement strengthening, widen from 2 to 3 lanes, with shoulders	Widening	None	No Adverse Effect	Medium
Inc	Inc	Inc	Inc	Route 28 / Route 27A Intersection	Intersection improvements to provide northbound left-turn, through, combined through/right-turn, southbound left-turn, through, and combined through/right-turn, eastbound left-turn, through, and right-turn lane.	Intersection	None	No Adverse Effect	Medium
110	South	GU-DAR-2002(001)	2	Route 2 / Route 12 Intersection	Intersection improvements to convert northbound right-turn lane to combined through/right-turn lane.	Intersection	None	No Historic Properties Affected	No/Low
113	Central	GU-DAR-2007(001)	7	Route 7 / Route 7A Intersection	Intersection improvements (signing, striping and minor construction) to establish two-lane circulation around Y-intersection.	Intersection	None	No Historic Properties Affected	No/Low
117	North	GU-DAR-2015(007)	15	Route 15 / Route 29 Intersection	Intersection improvements to signalize, provide additional northbound, southbound left-turn lanes, southbound right-turn lane	Intersection	None	No Historic Properties Affected	No/Low

GUAM HRN PROJECT LIST

124	North	GU-DAR-2099(002)	Finegayan Connection	Route 1/16 Intersection to S. Finegayan	New two-lane road, with left-turn lanes at existing access points, 4' paved shoulders.	New Road	None	No Historic Properties Affected	No/Low
Inc	Inc	Inc	Inc	Route 1 / Route 16 Intersection	Intersection improvements to provide northbound two left-turn lanes, three through lanes and right-turn lane (500'); southbound, two left-turn lanes, two through lanes, and one combined through/right lane; eastbound, two left-turn lanes (250'), two through lanes, and right-turn lane (500'); westbound, two left-turn lanes, two through lanes, and right-turn lane.	Intersection	None	No Historic Properties Affected	No/Low
Inc	Inc	Inc	Inc	Route 1 / Route 16 Intersection	Intersection improvements to provide northbound, right-turn lane (700'); southbound, additional left-turn lane.	Intersection	None	No Historic Properties Affected	No/Low
38	North	GU-DAR-2003(007)	3	NCTS Finegayan (Commercial Gate)	Military Access Point 2, located 125 feet north of Chalan Kareta. Would be signalized; eastbound, left-turn lane (300'), combined through/right; westbound, left-turn lane (150'), combined through/right; northbound, left-turn lane (480'), through, combined through/right; southbound, left-turn (150'), through, and combined through/right.	Intersection	None	No Adverse Effect	Medium
38A	North	GU-DAR-2003(007)A	3	NCTS Finegayan (Commercial Gate)	Military Access Point 2, proposed to be a T-intersection 1,215 feet south of Flores Para Eso Street. Would be signalized; eastbound, left-turn lane (300'), combined through/right; northbound, left-turn lane (480'), through, combined through/right; southbound, through, and combined through/right.	Intersection	None	No Adverse Effect	Medium
39	North	GU-DAR-2003(006)	3	NCTS Finegayan (Main Gate)	Military Access Point 3, signalized; eastbound, two left-turn lanes (300'), free right-turn with acceleration lane on Route 3; northbound, two left-turns (600'), through lanes, combined right/through lane, southbound left-turn lane (150'), two through lanes, right-turn lane (600'), westbound left-turn lane and combined through/right-turn lane from parking lot.	Intersection	None	No Adverse Effect	Medium
39A	North	GU-DAR-2003(006)A	3	NCTS Finegayan (Main Gate)	Military Access Point 3, located across from signalized intersection with Route 28. Eastbound, two left-turn lanes (300'), one through lane, free right-turn with acceleration lane on Route 3; northbound, two left-turns (600'), two through lanes, and right-turn lane, southbound, two left-turn lanes, two through lanes, right-turn lane (600'), westbound two left-turn lanes, through, and right-turn lane.	Intersection	None	No Adverse Effect	Medium
41	North	GU-DAR-2003(002)	3	South Finegayan (Residential Gate)	Military Access Point 5, aligned with Kamute Avenue. Would be signalized; eastbound, left-turn lane (200'), combined left-turn/through lane, free right-turn with acceleration lane on Route 3; northbound, two left-turns (700'), through, combined through/right, southbound, left-turn (150'), through and combined through/right-turn, westbound left-turn, combined through/right-turn.	Intersection	None	No Adverse Effect	Medium

GUAM HRN PROJECT LIST

41A	North	GU-DAR-2003(002)A	3	South Finegayan (Residential Gate)	Military Access Point 5, located 680 feet south of Hahasu Dr. Would be signalized; eastbound, two left-turn lanes (200'), free right-turn with acceleration lane on Route 3; northbound, two left-turns (700'), two through lanes, southbound, through and combined through/right-turn.	Intersection	None	No Adverse Effect	Medium
42	North	GU-DAR-2009(003)	9	AAFB (North Gate)	Military Access Point 6, proposed between Routes 3 and 9. Would be STOP-controlled with STOP for access from base; eastbound, left turn lane (600'), two through lanes; westbound, one through lane and one right-turn lane (320'); southbound, left-turn lane, free right-turn lane with accel lane (becomes second westbound through lane).	Intersection	None	No Adverse Effect	Medium
44	Central	GU-DAR-2001(019)	1	Anderson South (Main Gate)	Military Access Point 8, at Turner Street. Would be signalized; westbound Route 1 left-turn lane (500', restripe existing 2WLT); eastbound Route 1 right-turn lane (1,000'); and northbound two left-turn lanes (300') and right-turn lane.	Intersection	None	No Adverse Effect	Medium
46	Central	GU-DAR-2015(004)	15	Anderson South (Secondary Gate)	Military Access Point 10 at Unnamed road, 1.16 miles east of Route 26. Would be STOP controlled with STOP for access from base; eastbound Route 15 left-turn lane (250'); southbound, left-turn lane (150') and right-turn lane.	Intersection	None	No Adverse Effect	Medium
47	Central	GU-DAR-2016(002)	16	Barrigada (Navy)	Military Access Point 11, approximately 1,315 feet north of northerly post office driveway. New four-lane access road connected to Route 16 as T-intersection. Route 16. Route 16/Access Road would be signalized. Northbound Route 16, two through lanes and combined through/right lane; southbound Route 16, two left-turn lanes (one lane 425', the other lane drop from third southbound through lane), and two through lanes; westbound, two left-turn lanes and free right-turn lane.	Intersection	None	No Historic Properties Affected	No/Low
48	Central	GU-DAR-208A(001)	8A	Barrigada (Navy)	Military Access Point 12, Extension of north/south road from Route 16/Sabana Barrigada Drive to Route 8a, with one lane in each direction.	Intersection	None	No Adverse Effect	Medium
49	Central	GU-DAR-2015(003)	15	Barrigada (Air Force)	Military Access Point 13, across from Chada Street. Would be signalized; eastbound, left-turn lane (250'), combined through/right-turn lane; westbound, left-turn lane (150'), combined through/right-turn lane; southbound, left-turn lane (150'), combined through/right-turn lane; northbound, combined left/through/right-turn lane.	Intersection	None	No Historic Properties Affected	No/Low
49A	Central	GU-DAR-2015(003A)	15	Barrigada (Air Force)	Military Access Point 13A, across from Chada Street. Would be signalized; eastbound, two left-turn lanes (500'), combined through/right-turn lane; westbound, left-turn lane (150'), through lane, right-turn lane (1,000'); southbound, two left-turn lanes (500'), combined through/right-turn lane; northbound, combined left/through/right-turn lane.	Intersection	None	No Historic Properties Affected	No/Low
50	Apra Harbor	GU-DAR-2001(002)	1	Navy Main Base	Military Access Point 14, at existing signalized intersection of Routes 1 and 2a. Intersection improvements to provide additional westbound left-turn lane.	Intersection	None	No Adverse Effect	Medium
52	South	GU-DAR-2012(001)	12	Naval Munitions Site	Military Access Point 16, proposed relocation of existing access point to Harmon Road for safety/operational improvements.	Intersection	None	No Adverse Effect	Medium

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— Guam Haul Roads Network

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**Attachment 2. FHWA Letters (April 11 and June 14, 2010) to Guam
Department of Parks and Recreation Regarding Section 4(f) Impacts
on Public Parks**

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U.S. Department
of Transportation
**Federal Highway
Administration**

Hawaii Federal-Aid Division

April 11, 2010

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Honolulu, HI 96850
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Fax: (808) 541-2704
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In Reply Refer To:
HDA-HI

Joseph Duenas, Director
Government of Guam
Department of Parks and Recreation
490 Chalan Palasyo
Agana Heights, Guam 96910

Dear Mr. Duenas:

The Federal Highway Administration (FHWA) requests your concurrence that the proposed projects would not adversely affect the activities, features, and attributes of Paseo de Susana Park, Buffer Park and Chinese Park, thus allowing the FHWA to issue a final *de minimus* impact finding for each of these three properties. The following information explains the scope of the project and the impacts they will have on the subject resources.

The U.S. Department of the Navy has prepared the Guam and Commonwealth of the Northern Marianas (CNMI) Military Relocation Draft Environmental Impact Statement/Overseas Environmental Impact Statement (Draft EIS/OEIS). The three major actions of this proposed project are as follows:

- Development and construction of facilities and infrastructure to support the relocation of approximately 8,600 Marines and their 9,000 dependents from Okinawa to Guam; development and construction of facilities and infrastructure to support training and operations on Guam and Tinian for the relocated Marines.
- Construction of a new deep-draft wharf with shoreside infrastructure improvements creating the capability in Apra Harbor, Guam, to support a transient nuclear-powered aircraft carrier.
- Development of facilities and infrastructure on Guam to support the relocation of approximately 600 military personnel and their 900 dependents, and the establishment and operation of an Army Missile Defense Task Force (AMDTF).

Several related actions were identified for the proposed military buildup. One related action is the proposed Guam Road Network (GRN) improvements. The purpose of the GRN construction is to improve the existing roadway network on Guam through the Defense Access Road (DAR) Program and provide



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DIRECTOR'S OFFICE

mission-critical transportation infrastructure as part of the planned military buildup. The improvements proposed for the GRN would result in strengthened roadways, bridge replacement, increased roadway capacity, roadway realignment (Route 15), new access, and enhanced roadway safety on Guam as a response to construction for military buildup and growth. The GRN is comprised of 44 (off-base) projects, including 6 intersection improvements, 2 bridge replacements, 25 pavement strengthening projects, relocation of one road, 9 road widening projects and construction of one new road, along 20 federal-aid roadways and one local road. These projects total approximately 66 miles in length. The two bridge replacement projects would result in the replacement of five bridges, and replacement of three box culverts at three other bridges (total of 8 bridges).

The Federal Highway Administration (FHWA) jointly with the U.S. Department of the Navy and the Guam Department of Public Works (DPW) has prepared the portion of Volume 6 of the Draft EIS/OEIS that addresses the impacts of the GRN Project to various environmental resources. Since the implementation of the proposed GRN would involve the potential use of Section 4(f) land, consisting of public parks and recreation areas, as determined pursuant to the U.S. Department of Transportation Act of 1966 (49 U.S. Code § 303), a Section 4(f) Evaluation was prepared in accordance with 23 *Code of Federal Regulation* (CFR) §774 (see Chapter 21 of Volume 6).

Based on the Section 4(f) Evaluation, three public parks under the jurisdiction of the Guam Department of Parks and Recreation (DPR), would be subject to minor right-of-way (ROW) acquisition or temporary use, as described below.

- **Paseo de Susana Park** would be affected by GRN Project #3 (Agana Bridge Replacement). The bridge replacement limits are very conceptual at this stage, and the affected land cannot be accurately estimated; however, based on the preliminary design, approximately 4,800 square feet of land in the park may be required. There likely would be work in the Agana River and possibly slope protection at the abutment. At the very least, it would be a temporary impact during construction, limiting access to this area of the park. See Enclosure 1A to this letter.
- **Buffer Strip Park** would be affected by GRN Project #7 and GRN Project #6 intersection widening at Routes 1 and 27, and Routes 1 and 26, respectively. While the widening currently depicted can likely be adjusted to avoid most of the linear impact, at the intersection with Route 27, the existing roadway appears to encroach on the park ROW by approximately 500 square feet. See Enclosure 1B to this letter.
- **Chinese Park** would be affected by GRN Project #33 intersection widening at Routes 1 and 14. The existing ROW parcel line appears to indicate that the existing roadway is built partially inside the park ROW. Approximately 15,900 square feet of land would need to be acquired to correct this situation and to allow the intersection improvements. Based on field observations, the potentially affected area is rocky land that slopes approximately 45 degrees. It appears to be unusable for park purposes. See Enclosure 1C to this letter.

Note that the above information is subject to change during the detailed engineering design phase. Some design adjustment could also minimize impacts to the existing parklands to ensure the project does not adversely affect important park features, attributes or activities. Because construction of the proposed improvement projects would be centered on the existing roadway corridor and intersections, no park closure is anticipated during construction.

The Section 4(f) Evaluation also identified measures to minimize harm on these potentially affected parks. To minimize the park taking at Chinese Park, the DPW will evaluate the feasibility of constructing

a retaining wall approximately 20 feet high; aesthetic treatment could be used to minimize the visual effect of the wall. Measures to minimize park use at Paseo de Susana Park and Buffer Strip Park would also be considered during the detailed engineering design phase. To ensure maintenance of access to public parks, the DPW will develop a Traffic Management Plan (TMP) for implementation during construction activities. The TMP will identify and provide alternate traffic detour routes, construction materials hauling routes, bus stops, transit routes and operation hours, pedestrian routes, and residential and commercial access routes to be used during the construction period. The DPW will also develop an outreach program to keep residents, tourists, businesses, and any service providers within the area informed, and to inform surrounding communities about the project construction schedule, traffic-impacted areas, the TMP, and other relevant project information.

In light of the above, the FHWA has determined that the transportation use of Paseo de Susana Park, Buffer Strip Park and Chinese Park, including the measures to minimize harm, does not adversely affect the protected activities, features or attributes that qualify these properties for Section 4(f) protection. Therefore, it is FHWA's determination that a Section 4(f) *de minimus* (of minimum importance) impact finding may be made for each of these three Section 4(f) resources.

However, prior to making final *de minimus* impact findings for these three properties, coordination, as specified in 23 CFR §774.5(2), is required by the FHWA. This coordination is required in two parts:

- Per 23 CFR §774.5(2)(i), public notice and an opportunity for public review and comment concerning the effects on the protected activities, features, or attributes of the property must be provided. FHWA has satisfied this coordination requirement, as the Draft EIS/OEIS was released to the public on November 20, 2009, for a 90 day period. During the 90 day period, the public was encouraged to review and submit comments on the Draft EIS/OEIS. Four public hearings were held on Guam to provide an opportunity for the community to submit both oral and written comments regarding the Draft EIS/OEIS. A total of two written comments pertaining to parkland impacts were received. The first comment stated that the affected parkland should be replaced prior to the roadway construction. FHWA made a clarification that the required acquisition of the parkland would be minimal and no parkland replacement would be needed. The second comment stated that the federal government should pay for the retaining wall construction near the Chinese Park since the proposed roadway improvement is a part of the military action. FHWA responded that funding for the design and construction of the retaining wall would be requested through the DAR program. Maintenance costs would be the responsibility of the DPW since they would own the facility.
- The second part of the coordination, as put forth in 23 CFR §774.5(2)(ii), requires that the FHWA inform the official(s) with jurisdiction over the public parks of its intent to make a *de minimis* impact finding. The FHWA believes that this requirement has also been satisfied, as a meeting between FHWA, DPW and DPR, was held on Tuesday, January 12, 2010 at 10:00 AM, at the Division of Highways Building, Room 201. Four DPR representatives attended the meeting, including Joseph Duenas (Director), Jose Quinata, Jose Garrido, and William Hernandez. The meeting included discussions of each of the potentially affected parks and FHWA's intent to issue a *de minimus* impact finding for each of the properties. DPR representatives did not express any issues with the projects or their potential effects on the parks at the time of the meeting.

As FHWA has satisfied the coordination requirements of 23 CFR §774.5(2), it hereby requests DPR's written concurrence that the proposed GRN Projects would not adversely affect the activities, features,

and attributes of Paseo de Susana Park, Buffer Park and Chinese Park, thus allowing the FHWA to issue a final *de minimus* impact finding for each of these three properties.

The FHWA is thankful for your assistance in making this transportation project possible. Should you have any questions or concerns, please contact me at (808)541-2700 extension 2311 or richelle.takara@dot.gov.

Sincerely yours,



Richelle M. Takara, P.E.
Transportation Engineer

Enclosures

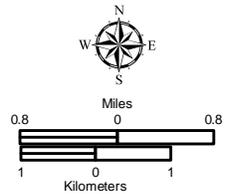
cc: Andrew Leon Guerrero, DPW (via email)
Joaquin Blaz, DPW (via email)
Robin Shishido, PTG (via email)
Elvira Gaddi, PTG (via email)



Potential Use of
Paseo de Susana Park

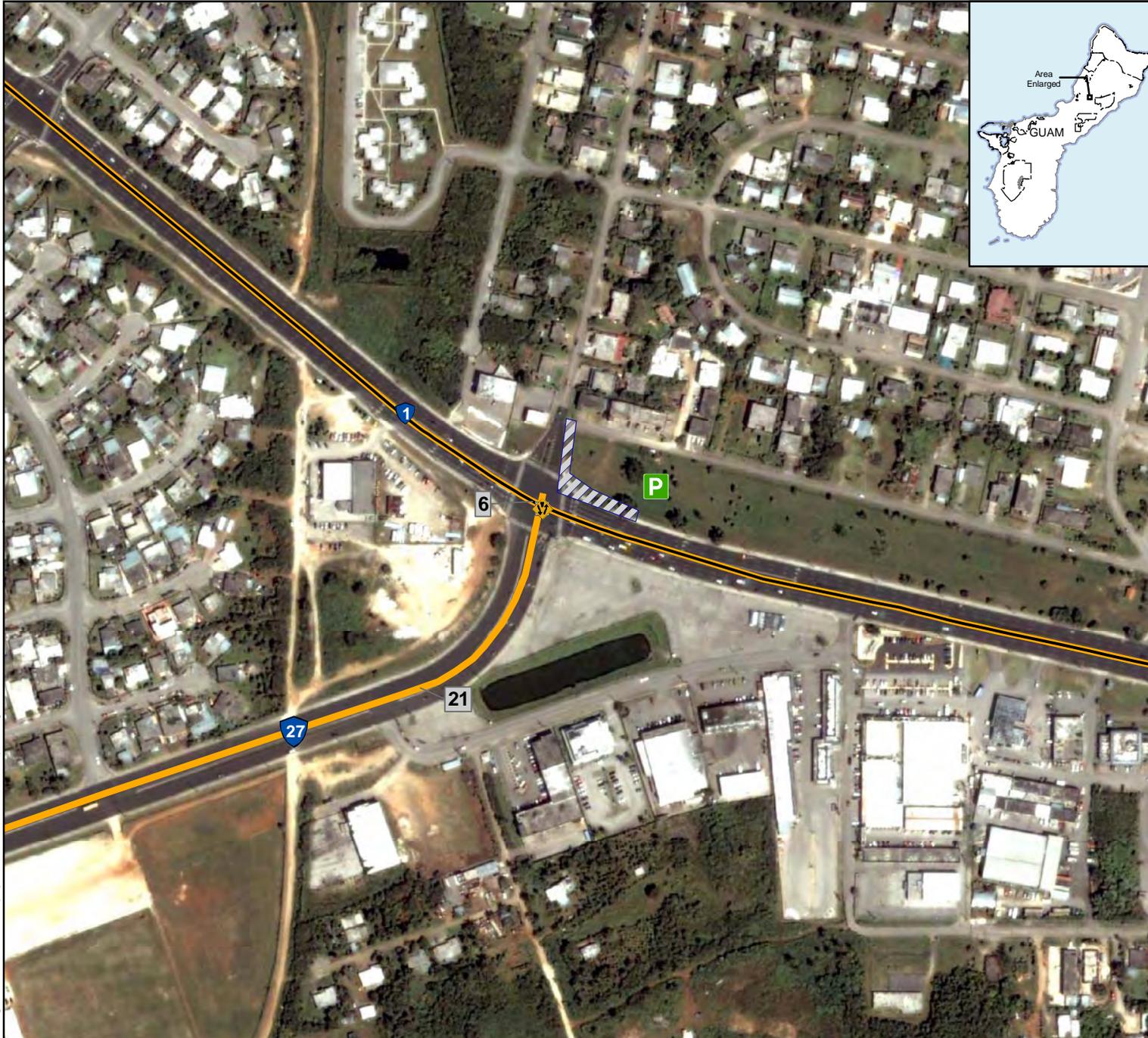
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-  Route Number
-  Project Locations and GRN#
-  Park Locations
-  Park Takes
-  Bridge Replacement
-  Intersection Improvement
-  Military Access Point
-  Pavement Strengthening
-  Widening/Pavement Strengthening
-  Realignment/New Construction



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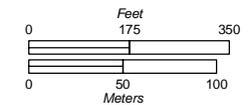




Potential Use of Buffer Strip Park

Legend

-  Military Installation
-  Route Number
-  Project Locations and GRN#
-  Intersection Improvement
-  Pavement Strengthening
-  Park Locations
-  Park Takes



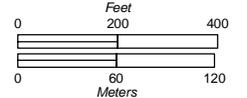


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Potential Use of Chinese Park

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-  Military Installation
-  Route Number
-  Project Locations and GRN#
-  Intersection Improvement
-  Pavement Strengthening
-  Park Locations
-  Park Takes





U.S. Department
of Transportation
**Federal Highway
Administration**

Hawaii Federal-Aid Division

June 14, 2010

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In Reply Refer To:
HDA-HI

Joseph Duenas, Director
Government of Guam
Department of Parks and Recreation
490 Chalan Palasyo
Agana Heights, Guam 96910

Dear Mr. Duenas:

Thank you for your continued assistance and coordination on this project. As a follow up to the letter received by your department dated May 26, 2010 regarding non-concurrence of final *de minimus* impact finding to Paseo de Susana Park, the Federal Highway Administration (FHWA) would like to further clarify the project and impacts. The impact identified to the park on the northwest corner of Agana Bridge No. 1 was incorrectly labeled as Paseo de Susana Park and will be revised to Guam Seal Park in the Guam and Commonwealth of the Northern Marianas (CNMI) Military Relocation Final Environmental Impact Statement (Final EIS).

Furthermore, to allow continued access along the Hagåtña Heritage Walking Trail, the construction of the bridge will generally be phased in two major components. First, traffic will be shifted to the south and the north side of Route 1 and Agana Bridge will be reconstructed and widened. Pedestrian movements along Route 1 will be accommodated on the existing sidewalk on south side of the street. Secondly, traffic will be shifted to the north and the work will be completed on the south side of the road and Agana Bridge. Pedestrian movements in the second phase will be accommodated on the north side of the roadway. Other minor phases of construction are anticipated and pedestrian movements along Route 1 will be maintained on one side of the road, or the other, at all times.

As FHWA has satisfied the coordination requirements of 23 CFR §774.5(2), it hereby requests DPR's written concurrence that the proposed GRN Project would not adversely affect the activities, features, and attributes of Guam Seal Park, thus allowing the FHWA to issue a final *de minimus* impact finding for this property.



The FHWA is thankful for your assistance in making this transportation project possible. Should you have any questions or concerns, please contact me at (866)233-8177 extension 2311 or Richelle.takara@dot.gov.

Sincerely yours,

A handwritten signature in cursive script that reads "Richelle M. Takara". The signature is written in black ink on a white background.

Richelle M. Takara, P.E.
Transportation Engineer

cc: Andrew Leon Guerrero, DPW (via email)
Joaquin Blaz, DPW (via email)
Robin Shishido, PTG (via email)
Elvira Gaddi, PTG (via email)

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**Attachment 3. Guam Department of Parks and Recreation De Minimus
Impact Concurrence Letter on Dededo Buffer Strip Park and Chinese
Park**

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Felix P. Camacho
Governor

Department of Parks and Recreation
Government of Guam
490 Chalan Palasyo
Agana Heights, Guam 96910
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Facsimile: (671) 477-0997
Parks Division: (671) 475-6288/9
Guam Historic Resources Division: (671) 475-6288/9
Facsimile: (671) 477-2822



Joseph W. Duenas
Director

Michael W. Cruz, MD
Lt. Governor

Jose M. Quinata, Jr.
Deputy Director

In reply refer to:
RC2010-6912/07-0782

May 26, 2010

Richelle Takara, P.E.
Transportation Engineer
FHWA-Hawaii Division
300 Ala Moana Blvd. 3-306, Box 50206
Honolulu, HI 96850

Subject: FHWA Request for Concurrence (49 U.S. Code § 303) 23CFR§774.5 (2)(i) and (2)(ii) with the Proposed Guam Road Network associated with the proposed military buildup that the following public and historic sites: Paseo de Susana Park, Hagatna; Buffer Strip Park, Dededo; Chinese Park, Upper Tumon;

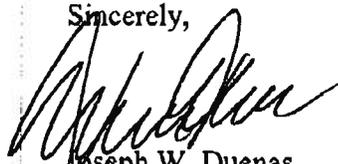
Dear Ms. Takara:

The Department of Parks and Recreation has (DPR) reviewed your request for concurrence for a final *de minimus* impact finding for the above public parks. DPR concurs with your findings on two parks, Buffer Strip Park, Dededo; and Chinese Park, Upper Tumon. However, we do not concur with the final *de minimus* concerning the Paseo de Susana Park, as area of potential effects (APE) impacts the Guam Seal Park, which is part of the Hagåtña Heritage Walking Trail. However, this may be corrected with an adjustment of the APE southward to allow access and a buffer for the Guam Seal Park in concurrence with DPR.

The Department of Parks and Recreation has (DPR) is only reviewing 23CFR§774.5 (2)(i) and (2)(ii) with the Proposed Guam Road Network associated with the proposed military buildup that the following public and historic sites: Paseo de Susana Park, Hagatna; Buffer Strip Park, Dededo; Chinese Park, Upper Tumon. As per request of your letter received April 22, 2010.

Any concurrence of (49 U.S. Code § 303) 23CFR§774.5 (1) For Historic Properties will have to be address to the Guam Historic Resources Division, State Historic Preservation Office of the Department of Parks and Recreation. If you have any questions, please call us at (671) 475-6295.

Sincerely,


Joseph W. Duenas
Director 

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**Attachment 4. Guam Department of Parks and Recreation De Minimus
Impact Concurrence Letter on Guam Seal Park**

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Felix P. Camacho
Governor

Michael W. Cruz, MD
Lt. Governor

Department of Parks and Recreation
Dipattamenton Plaset Yan Dibuetision
Government of Guam
490 Chalan Palasyo
Agana Heights, Guam 96910
Director's Office: (671) 475-6296/97
Facsimile: (671) 477-0997
Parks Division: (671) 475-6288/89
Guam Historic Resources Division: (671) 475-6295
Facsimile: (671) 477-2822



Joseph W. Duenas
Director

Jose M. Quinata Jr.
Deputy Director

In reply refer to:
RC2010-6912/07-0782

June 23, 2010

Richelle Takara, P.E.
Transportation Engineer
FHWA-Hawaii Division
300 Ala Moana Blvd. 3-306
Box 50206
Honolulu, HI 96850

Subject: FHWA Request for Concurrence (49 U.S. Code § 303) 23CFR§774.5 (2)(i) and (2)(ii) with the Proposed Guam Road Network associated with the proposed military buildup that the following public and historic sites: Paseo de Susana Park, Hagatna; Buffer Strip Park, Dededo; Chinese Park, Upper Tumon.

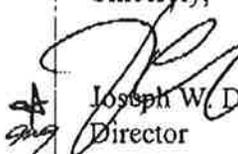
Dear Ms. Takara:

The Department of Parks and Recreation has (DPR) reviewed your request for concurrence for a final de minimus impact finding for the above public parks. DPR concurs with FHWA mistake of labeling the Guam Seal Park as the Paseo de Susana Park in the Guam and Commonwealth of the Northern Marianas Military Relocation Final Environmental Impact Statement and looks forward to the correction. DPR further concurs that FHWA proposed undertaking would not adversely affect activities, features and attributes of the Guam Seal Park.

Any concurrence of (49 U.S. Code § 303) 23CFR§774.5 (1) For Historic Properties will have to be address to the Guam Historic Resources Division, State Historic Preservation Office of the Department of Parks and Recreation.

If you have any questions, please call us at (671) 475-6296/6297.

Sincerely,


Joseph W. Duenas
Director

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**Attachment 5. Programmatic Section 4(f) Evaluation for Historic
Bridges**

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HAWAII DIVISION

FEDERAL HIGHWAY ADMINISTRATION

PROGRAMMATIC SECTION 4(f) DETERMINATION AND APPROVAL

UNDER THE

NATIONWIDE PROGRAMMATIC SECTION 4(f) EVALUATION

AND APPROVAL FOR FHWA PROJECTS THAT NECESSITATE

THE USE OF HISTORIC BRIDGES

(JULY 5, 1983)

BRIDGE NAME: Agana Bridge #1

BRIDGE ID: 2801-0005P

ROUTE: Route 1 (Marine Corps Drive)

LOCATION: Guam

Instructions: Consult the Nationwide § 4(f) Evaluation as it relates to the following items. Complete all items. Any response in a shaded box requires additional information prior to approval. This § 4(f) determination will be attached to the applicable National Environmental Policy Act (NEPA) documentation.

Eligibility Criteria	YES	NO
1. Will the bridge be replaced or rehabilitated with federal funds?	X	
2. Will the project require the "use" of a historic structure which is on, or eligible for listing on, the National Register of Historic Places (NRHP)?	X	
3. Has the bridge been determined to be a National Historic Landmark?		X
4. Is the environmental documentation an Environmental Impact Statement (EIS)? ²	X	

Alternatives Considered	YES	NO
5. Have all of the following alternatives to avoid any use of the historic bridge been evaluated? ³	X	
A. Has the “Do Nothing” alternative been studied and been determined, for reasons of maintenance and safety, not to be feasible and prudent?	X	
B. Has the “Build on New Location Without Using the Old Bridge Alternate” been studied and been determined, for reasons of terrain, and/or adverse social, economic or environmental effects, and/or engineering and economy, and/or preservation of the old bridge, not to be feasible and prudent?	X	
C. Has rehabilitation of the existing bridge without affecting the historic integrity of the bridge been studied and has it been determined, for reasons of structural deficiency and/or geometrics, that rehabilitation is not feasible and prudent?	X	

Measures to Minimize Harm <i>When an item does not apply indicate with NA</i>	YES	NO
6. Has the project included all possible planning to minimize harm, including the following:	X	
A. For bridges that are adversely affected , have the Federal Highway Administration (FHWA), Guam State Historic Preservation Office (SHPO), and Advisory Council for Historic Preservation (ACHP) reached agreement [Memorandum of Agreement (MOA)] through the Section 106 process, and does this MOA include Stipulations which amount to Measures to Minimize Harm, and will those measures be incorporated in the project?	X	
B. For bridges that are to be rehabilitated to the point that the historic integrity is affected, or that are to be moved or demolished, have fully adequate records been made of the bridge in accordance with the Historic American Engineering Record (HAER) or other suitable means developed through the Section 106 consultation?	NA	
C. For bridges that are to be replaced , has the existing bridge been made available for an alternate use, provided a responsible party agrees to maintain and preserve the bridge? ⁴	NA	
D. For bridges that are to be rehabilitated and there is an “ Adverse Effect ” ⁵ on the historic integrity of the bridge, is the historic integrity preserved to the greatest extent possible, and consistent with unavoidable transportation needs, safety, and load requirements? <i>(If the project is a replacement project, write NA. for this question.)</i>	NA	

NOTES

1. Definition of Use: The action will impair the historic integrity of the bridge either by rehabilitation or demolition. Where the definition of impair is to diminish the qualities that made it eligible for the NRHP (Federal Register, Vol. 48. No. 163, dated Monday, August 22, 1983).
2. The Programmatic § 4(f) for Historic Bridges (1983) does not speak to class of NEPA Action in contrast to the § 4(f) programmatic for projects with Minor Involvements with Historic Sites (1986) and Minor Involvements with Parks, Recreation Areas, and Wildlife and Waterfowl Refuges (1986); both state they do not apply to projects when an EIS is prepared. A sampling of FHWA Divisions' use of the Historic Bridges Programmatic 4(f) indicates several delete this question altogether. American Association of State Highway and Transportation Officials' (AASHTO's) Center for Environmental Excellence states the Historic Bridges Programmatic "can be used with all NEPA processing options."
3. Consult the Nationwide Programmatic § 4(f) Evaluation for the generic (not prudent and feasible) reasons that might be addressed (Federal Register, Vol. 48. No. 163, dated Monday, August 22, 1983). The evaluation of alternatives for the subject project; however, must quantify those reasons as applicable and be supported by the circumstances of the project.
4. The advertisement and marketing of this bridge is not technically feasible given it is a type of structure (reinforced concrete) that is not transportable; nor does the Guam SHPO necessitate it. Appropriate mitigation is addressed in the provisions in the MOA among the Government of Guam, FHWA, the SHPO, and the ACHP.
5. When it has been determined by FHWA in consultation with the SHPO and ACHP that the rehabilitation work will result in "No Effect" or "No Adverse Effect" on the historic integrity of the structure, the provisions of § 4(f) Evaluation do not apply.

Agana Bridge #1

Bridge ID Number: 2801-0005P

Owner: Government of Guam – Department of Public Works

Physical Description of Resource

The Agana Bridge #1 is of a single-span reinforced concrete box construction with a rectangular open abutment. The bridge carries a roadway (Route 1) and a tributary of the Agana River flows beneath. The bridge span length is 41.7 feet (12.7 meters) with a deck width of 87.0 feet (26.5 meters). This bridge is highlighted on each end by sloping flared-end parapet walls reflecting a Spanish-style influence. Open metal rail balustrades are inset into concrete sidewalks. The bridge has been expanded from its original dimensions to accommodate six lanes.

History

No original bridge design or as-built plans were located that specifically address this bridge, and it is believed that such records were destroyed in a typhoon. However, some of the origins of the bridge can be culled from a plaque that originally resided on the outside of a parapet on the west elevation. The bridge dates to 1945 and was built by the men of the 25th Naval Construction Battalion, under the direction of the Island Engineer, Navy Captain William O. Hiltabidle, Jr. The Construction Battalions of the U.S. Navy had been formed in January 1942, and with its acronym C.B., the name "Seabee" was quickly coined.

Guam, a U.S. territory since 1898, was captured by the Japanese in December 1941, shortly after the bombing of Pearl Harbor. U.S. Marine, Navy, and Army forces regained control of Guam following bloody combat in the summer of 1944. The Seabees participated by unloading ships and performing vital construction jobs, including building airstrips, hospitals, oil tank farms, power plants, barracks and buildings, roads, and bridges. Island Commander, Marine Corps Major General Henry L. Larsen placed top priority on constructing a permanent, multi-lane highway (later called Marine Drive) between Sumay and Agana to provide access to the airfields and naval facilities. The 12-mile (19-kilometer) long, four-lane highway included nine bridges, according to an article written at the time.

The reinforced concrete box bridge type came into common use throughout the U.S. and was ubiquitous in local and state road building programs beginning in the early decades of the 20th century. The Agana Bridge #1 was constructed by American military led by civil engineers; therefore, it is not surprising that a bridge design was chosen that both met the design and engineering standards promulgated by the American Association of State Highway Officials (now AASHTO) and could be built quickly and economically. However, over time, the bridge was required to be widened twice for roadway expansion purposes.

National Register Eligibility

In addition to possessing significance, properties eligible for the NRHP must retain sufficient integrity of location, design, setting, materials, workmanship, feeling, and association to convey important values. Despite its subsequent widening, the Guam SHPO has recently expressed their opinion that Agana Bridge #1 retains sufficient character-defining features in the distinctive form of its four parapet walls reflecting a Spanish stylistic vocabulary. The SHPO believes those particular bridge features, as contributors, are eligible for listing in the NRHP under Criterion A at the local level as they are associated with the broad pattern of events associated with Hagatna's history and its place in the history of World War II in the Pacific. The SHPO does not believe any other physical aspects of the bridge warrant designation as being eligible for listing in the NRHP.



Contemporary View of Agana Bridge #1 showing parapet walls and railings



Contemporary View of Agana Bridge #1 and Route 1

ALTERNATIVES CONSIDERED

No Action

The no-action alternative was eliminated for reasons of safety. The most recent bridge inspection reports (2009) indicated an overall condition rating of 4, signifying an overall “poor” condition. Even with routine maintenance, the concrete bridge’s structural integrity would continue to deteriorate. The bridge abutments indicate severe cracking and there are numerous locations in which the concrete has broken apart. The deck slab indicates cracking with severe spalling underneath. Reinforced steel rebar has been exposed in several places and exhibits an advanced stage of rusting.

Recent analysis of the hydraulic capacity of the existing bridge structure concluded that it is not sufficient to meet the future stream forces and provide for the necessary freeboard after proposed channel improvements are made by the U.S. Army Corps of Engineers.

From a pedestrian safety perspective, the bridge is deficient because the sidewalk approaches have settled up to 3 feet (1 meter) at each of the four bridge ends, but especially on the northwest and southwest corners. This condition will continue to deteriorate.

The bridge engineer’s inspection report expressed that, “The deterioration of the superstructure appears to be due to the flexure stressed associated with overloading” and concluded that the bridge “is not capable of supporting any of the proposed military vehicles.”

Build on New Location without Using the Old Bridge

Because Agana Bridge #1 ties into the six-lane main highway route, an option to shift the highway away to the north or south so as to construct a new bridge, leaving the older bridge in place, was not viewed as a practicable solution. The Guam SHPO agreed with that assessment. Not only would the re-routing be of major expense because of the necessity of roadway redesign and construction, but the new bridge location would involve the use of other 4(f) (park) resources and residential and/or business displacement and disruption of extraordinary magnitude.

DETERMINATION AND APPROVAL

Based on the environmental documentation and analysis and the results of public and agency consultation and coordination, FHWA has determined that:

- Use of Agana Bridge #1 meets the applicability criteria as set forth in the Nationwide Programmatic § 4(f) Evaluation and Approval for FHWA Projects that Necessitate the Use of Historic Bridges dated July 5, 1983;
- All of the alternatives set forth in the Findings section of the above Nationwide § 4(f) Evaluation have been fully evaluated. Based on the Findings, it is determined there is no feasible and prudent alternative to the use of the Historic Bridge; and
- The project complies with the Measures to Minimize Harm Section of the Nationwide § 4(f) Evaluation; and agreement between FHWA, SHPO, and ACHP has been reached.

Accordingly, the FHWA approves the proposed use of the historic bridge for construction under the above Nationwide § 4(f) Evaluation issued on July 5, 1983.

**HAWAII DIVISION
FEDERAL HIGHWAY ADMINISTRATION
PROGRAMMATIC SECTION 4(f) DETERMINATION AND APPROVAL
UNDER THE
NATIONWIDE PROGRAMMATIC SECTION 4(f) EVALUATION
AND APPROVAL FOR FHWA PROJECTS THAT NECESSITATE
THE USE OF HISTORIC BRIDGES
(JULY 5, 1983)**

SECTION 4(f) USE OF AGANA BRIDGE #1

Additional Information for “No” Response in Item 6B

In accordance with the MOA regarding replacement of the Agana River Bridge #1, the GDPW and the FHWA will commit to photographic and written documentation of the bridge using the Historic American Building Survey/Historic American Engineering Record standards. This work will be conducted prior to the proposed demolition and construction of the new structure.