



The Honorable
Eddie Baza Calvo
Governor

The Honorable
Ray Tenorio
Lieutenant Governor



RC 2018-0008

18-0650

Rec'd 4.19.18
RD

APR 17 2018

Mr. Carl V. Dominguez
Director
Bureau of Statistics & Plans
PO Box 2950
Hagatna, Guam 96932

Attn: Administrator, Guam Coastal Management Program

**Subject: Guam Coastal Management Program Consistency Determination
Route 1 (Asan-Piti and Yigo-Dededo) and Route 8 (Barrigada and Mongmong
Toto Maite) Resurfacing Project
Project No. GU-THS-001(130) & GU-THS-0008 (005)**

Dear Mr. Dominguez:

The U.S. Federal Highway Administration (FHWA) and the Government of Guam Department of Public Works (DPW) propose to resurface the following locations Route 1 (Asan-Piti and Yigo-Dededo) and Route 8 (Barrigada and Mongmong Toto Maite).

We have enclosed for your review a draft CZM Program Assessment for the subject project pursuant to Coastal Zone Management Act, Section 307(d)(16 USC § 1456) and 15 CFR part 930, subpart D. The Project would receive federal funding from the U.S. Department of Transportation, Federal Highway Administration authorized Moving Ahead for Progress in the 21st Century Act (MAP-21).

The subject project will comply with the enforceable policies of the Government of Guam's approved management program and will be conducted in a manner consistent with such programs.

If you have any questions or require additional information, please contact Lynn Cruz (Linda.Cruz@wsp.com) at 922--6880 or Joaquin Blaz at 649-3156.

Sincerely,

GLENN LEON GUERRERO
Director

Encl.

GUAM COASTAL MANAGEMENT PROGRAM ASSESSMENT FORMAT

DATE OF APPLICATION: April 6, 2018

NAME OF APPLICANT: Department of Public Works, Government of Guam

ADDRESS: 542 North Marine Corps Dr., Tamuning, Guam 96913

TELEPHONE NUMBER: (671) 646-3131

FAX NUMBER: (671) 649-6178

E-MAIL ADDRESS: glenn.leonguerrero@dpw.guam.gov

TITLE OF PROPOSED PROJECT: Route 1 & Route 8 Resurfacing Project No. GU-THS-001(130) & THS-0008(005) Federal Catalog No. DOT 20.205

COMPLETE FOLLOWING PAGES

FOR BUREAU OF STATISTICS AND PLANS ONLY:

DATE APPLICATION RECEIVED: _____

ORCM NOTIFIED: _____ LIC. AGENCY NOTIFIED: _____

APPLICANT NOTIFIED: _____ PUBLIC NOTICE GIVEN: _____

OTHER AGENCY REVIEW REQUESTED: _____

DETERMINATION:

() CONSISTENT () NON-CONSISTENT () FURTHER INFORMATION REQUESTED

ORCM NOTIFIED: LIC. AGENCY NOTIFIED:

APPLICANT NOTIFIED:

ACTION LOG: 1. _____
2. _____
3. _____
4. _____
5. _____
6. _____

DATE REVIEW COMPLETED:

Project Description

The Government of Guam, Department of Public Works (DPW), in association with the Federal highway Administration (FHWA), proposes to resurface the following locations: Route 1 (Asan-Piti and Yigo-Dededo) and Route 8 (Barrigada and Mongmong Toto Maite).

Route 1 work will repair and replace delaminated asphalt concrete (AC), work will involve a 1" depth mill and overlay with a few areas of full or partial depth pavement reconstruction where utility patches were previously made.

Route 8 will primarily replace the existing rutted and delaminated AC wearing surface at the Tri-Intersection (Intersections of Route 8 with Route 16, and Route 10 to include the intersection of Route 16 with Route 8A) with a stiffer more durable wearing surface. Failing utility patches will also be repaired along Route 8 from Route 33 to the Tri-Intersection.

All work will be contained within the existing right-of-way and will not require vegetation clearing. The resurfacing work will consist of partial and full depth pavement repair in various areas along with milling and replacement of failed friction course.

GUAM COASTAL MANAGEMENT PROGRAM
ASSESSMENT FORMAT

DEVELOPMENT POLICIES (DP):

DPI. Shore Area Development

Intent: To ensure environmental and aesthetic compatibility of shore area land uses.

Policy: Only those uses shall be located within the Seashore Reserve which:

- enhance, are compatible with or do not generally detract from the surrounding coastal area's aesthetic and environmental quality and beach accessibility; or
- can demonstrate dependence on such a location and the lack of feasible alternative sites.

Discussion: Not Applicable. Proposed work locations are not within the seashore reserve. The project will be located within the existing rights-of-way.

DP2. Urban Development

Intent: To cluster high impact uses such that coherent community design, function, infrastructure support and environmental compatibility are assured.

Policy: Commercial, multi-family, industrial and resort-hotel zone uses and uses requiring high levels of support facilities shall be concentrated within urban districts as outlined on the Guam Zoning Code.

Discussion: Consistent. The proposed project involves resurfacing roads which will not constitute new urban development or undermine efforts to encourage this policy. The

project will enhance traffic safety and provide appropriate infrastructure compatible with this zone.

DP3. Rural Development

Intent: To provide a development pattern compatible with environmental and infrastructure support suitability and which can permit traditional lifestyle patterns to continue to the extent practicable.

Policy: Rural districts shall be designated in which only low-density residential and agricultural uses will be acceptable. Minimum lot size for these uses should be one-half acre until adequate infrastructure including functional sewerage is provided.

Discussion: Consistent. The proposed project involves resurfacing roads in urban and rural areas and will not affect development patterns or lifestyles. The project will enhance traffic safety in an urban and rural area, provide appropriate infrastructure and is a compatible project within this zone.

DP4. Major Facility Siting

Intent: To include the national interest in analyzing the siting proposals for major utilities, fuel and transport facilities.

Policy: In evaluating the consistency of proposed major facilities with the goals, policies, and standards of the Comprehensive Development and Coastal Management Plans, Guam shall recognize the national interest in the siting of such facilities, including those associated with electric power production and transmission, petroleum refining and transmission, port and air installations, solid waste disposal, sewage treatment, and major reservoir sites.

Discussion: Not applicable. The proposed project is not a new major facility. The proposed project involves resurfacing roads.

DP5. Hazardous Areas

Intent: Development in hazardous areas will be governed by the degree of hazard and the land use regulations.

Policy: Identified hazardous lands, including flood plains, erosion-prone areas, air installations' crash and sound zones and major fault lines shall be developed only to the extent that such development does not pose unreasonable risks to the health, safety or welfare of the people of Guam, and complies with the land use regulations.

Discussion: Not applicable. The project does not include new structures which would require compliance with the flood hazard regulation or pose unknown risks to the health, safety and welfare of the public.

DP6. Housing

Intent: To promote efficient community design placed where the resources can support it.

Policy: The government shall encourage efficient design of residential areas, restrict such development in areas highly susceptible to natural and man-made hazards, and recognize the limitations of the island's resources to support historical patterns of residential development.

Discussion: Not applicable. The project does not include a housing component and will not negatively impact the implementation of policies to promote efficient community design.

DP7. Transportation

Intent: To provide transportation systems while protecting potentially impacted resources.

Policy: Guam shall develop an efficient and safe transportation system, while limiting adverse environmental impacts on primary aquifers, beaches, estuaries and other coastal resources.

Discussion: Not Applicable. No new transportation element is being proposed. Project will resurface existing roadways which will improve the safety.

DP8. Erosion and Siltation

Intent: To control development where erosion and siltation damage is likely to occur.

Policy: Development shall be limited in areas of 15% or greater slope by requiring strict compliance with erosion, sedimentation, and land use districting guidelines, as well as other related land use standards for such areas.

Discussion: Temporary and minor earthwork will occur for this project during resurfacing. The contractor will be required to employ best management practices (BMPs) to prevent sedimentation and other construction-related pollutants from being discharged. A project Environmental Protection Plan (EPP) is required and will be developed to address minimum requirements for control of erosion and prevention of siltation where appropriate. Additionally, protective silt fences are proposed when necessary during excavation work associated with construction. The proposed project will be required to receive approval through the Guam EPA during building permit processing.

RESOURCE POLICIES (RP)

RP1. Air Quality

Intent: To control activities to insure good air quality.

Policy: All activities and uses shall comply with all local air pollution regulations and all appropriate Federal air quality standards in order to ensure the maintenance of Guam's relatively high air quality.

Discussion: The project will not generate significant air pollutant emissions; these emissions will be temporary during construction and will not be expected to generate any offsite

effects. Any emissions generated from the proposed project will be minimal and temporary and would not contribute to or affect the local or regional attainment status with the National Ambient Air Quality Standards (NAAQS). The proposed project is not a traffic capacity enhancing project and as a result will not have any significant effects on air quality.

R2. Water Quality

- Intent:** To control activities that may degrade Guam's drinking, recreational, and ecologically sensitive waters.
- Policy:** Safe drinking water shall be assured and aquatic recreation sites shall be protected through the regulation of uses and discharges that pose a pollution threat to Guam's waters, particularly in estuarine, reef and aquifer areas.
- Discussion:** Short-term minor impacts on surface water is expected from the proposed project during resurfacing construction activities. The contractor will be required to establish BMPs to manage stormwater during the project construction. Additionally, a project EPP is required and will be developed to address minimum requirements for control of erosion and prevention of siltation during construction. Protective silt fences or other measures as deemed necessary will be required during the excavation work associated with construction. The project will not add any additional pavement surface area and as a result will not add additional drainage run-off.

RP3. Fragile Areas

- Intent:** To protect significant cultural areas, and natural marine and terrestrial wildlife and plant habitats.
- Policy:** Development in the following types of fragile areas shall be regulated to protect their unique character.
- historical and archaeological sites
 - wildlife habitats
 - pristine marine and terrestrial communities
 - limestone forests
 - ravine forests
 - mangrove stands and other wetlands
 - coral reefs
- Discussion:** Cultural Resources: No impacts to cultural resources is expected from this project. The project will occur entirely within the right-of-way and there will be no ground disturbance below the pavement's base course.
- Consultation with the Guam Historic Resources Division (GHRD) occurred on August 22, 2017 and resulted in concurrence with FHWA's determination of No Historic Properties Affected
- Natural Resources: Minor impacts to natural resources is expected from this project. Project noise could cause minor impacts to wildlife due to disturbance from project activities and construction equipment use. However, the project locations are within developed areas where disturbances such as construction noise are common. There will be no vegetation clearing for this project.

- Consultation with the US Fish & Wildlife on September 19, 2017 resulted in a recommendation to add BMPs to minimize project impacts to a potential federally threatened Mariana fruit bat (*Pteropus mariannus mariannus*) that could occur around or migrate through the project sites. The contractor will restrict work to between the hours of 8am-5pm and if necessary will use hooded lighting. If the bat is present within 492ft (150m) of the project site work shall be postponed until the bat has left the area to reduce any potential harassment.

RP4. Living Marine Resources

Intent: To protect marine resources in Guam's waters.

Policy: All living resources within the territorial waters of Guam, particularly corals and fish, shall be protected from overharvesting and, in the case of marine mammals, from any taking whatsoever.

Discussion: Not applicable. The proposed project will not impact territorial waters of Guam all work will occur within the project right-of-way which is not located near marine resources.

RP5. Visual Quality

Intent: To protect the quality of Guam's natural scenic beauty.

Policy: Preservation and enhancement of, and respect for the island's scenic resources shall be encouraged through increased enforcement of and compliance with sign, litter, zoning, subdivision, building and related land-use laws. Visually objectionable uses shall be located to the maximum extent practicable so as not to degrade significant views from scenic overlooks, highways and trails.

Discussion: Not applicable. The project involves the resurfacing of roads and will not introduce new visual obstructions. Improvement of roads will create better visual quality to Guam's natural scenic beauty. A portion of the project will be adjacent to a park however, will not cause impacts to the visual quality of the area.

RP6. Recreational Areas

Intent: To encourage environmentally compatible development.

Policy: The Government of Guam shall encourage development of varied types of recreational facilities located and maintained so as to be compatible with the surrounding environment and land uses, adequately serve community centers and urban areas and protect beaches and such passive recreational areas as wildlife and marine conservation areas, scenic overlooks, parks and historical sites.

Discussion: Not Applicable. The project will be improving roads for safety and access to recreational areas but will not impact the use of any recreational areas.

RP7. Public Access

Intent: To ensure the right of public access.

Policy: The public's right of unrestricted access shall be ensured to all non-federally owned beach areas and all Guam recreation areas, parks, scenic overlooks, designated conservation areas and their public lands. Agreements shall be encouraged with the owners of private and federal property for the provision of releasable access to and use of resources of public nature located on such land.

Discussion: Not applicable. Access to all adjacent land uses will be maintained during the construction of the of the project.

RP8. Agricultural Lands

Intent: To stop urban types of development on agricultural land.

Policy: Critical agricultural land shall be preserved and maintained for agricultural use.

Discussion: Not applicable. There will be no impacts to agricultural lands.

**FEDERAL CONSISTENCY
SUPPLEMENTAL INFORMATION FORM**
Date: April 06, 2018

Project/Activity Title or

Description: Route 1 and Route 8 Resurfacing, Project No: GU-THS-0001 (130) & GU-THS-0008 (005)

Location: See Figures 1-44

Other applicable area(s) affected, if appropriate: None

Est. Start Date: 2018 Est. Duration: One (1) Year

APPLICANT

Name & Title: Glenn Leon Guerrero, Director

Agency/Organization: Department of Public Works, Government of Guam

Address/Zip Code: 542 North Marine Corps Drive, Tamuning, Guam 96910

Telephone during business hours: (671) 646-3131

Facsimile: (671) 649-6178

E-Mail Address: glenn.leonguerrero@dpw.guam.gov

AGENT

Name & Title: Linda R Cruz/Environmental Lead

Agency/Organization: WSP USA INC

Address/Zip Code: 590 South Marine Corps Drive, Ste 421 Tamuning, GU 96913

Telephone during business hours: 922-6880

Facsimile:

E-Mail Address: Linda.Cruz@wsp.com

542 North Marine Corps Drive, Tamuning, Guam 96913, Tel (671) 646-3131, Fax (671) 649-6178

CATEGORY OF APPLICATION (check one only)

- ☐ I. Federal Activity
☒ II. Permit or License
☐ III. Grants & Assistance

TYPE OF STATEMENT (check one only)

- ☒ Consistency
☐ General Consistency (Category I only)
☐ Negative Determination (Category I only)
☐ Non-consistency (Category I only)

APPROVING FEDERAL AGENCY (Categories II and III only)

Agency: U.S. Dept. of Transportation, Federal Highway Administration

Contact Person: Richelle Takara

Telephone during business hours: (808) 541-2700 (ext. 311)

E-mail: Richelle.Takara@fhwa.dot.gov

FEDERAL AUTHORITY FOR ACTIVITY

Title of Law: Moving Ahead for Progress in the 21st Century Act (MAP-21)

Section: 1114 Territorial and Puerto Rico Highway Program

OTHER GUAM APPROVALS REQUIRED

<u>Agency</u>	<u>Type Of Approval</u>	<u>Date of Application</u>	<u>Status</u>
		Rte 8-September 19 2017	Concurrence:
State Historic Preservation Office	NHPA Section 106	Rte 1- October 13, 2017	Rte 8 - Oct 17, 2017
			Rte 1- April 2, 2018



Eddie B. Calvo
Governor
Ray Tenorio
Lt. Governor

Department of Parks and Recreation
Government of Guam
490 Chalan Palasyo, Agana Heights, Guam 96910
Director's Office: (671) 475-6288
Parks Division: (671) 475-6291
Guam Historic Resources Division: (671) 475-6294/5
Facsimile: (671) 477-2822



William N. Reyes
Director
John P. Taitano
Deputy Director

In reply refer to:
RC2017-0877

October 17, 2017

Matthew Small
Planner
WSP USA
Guam International Trade Center
590 South Marine Corps Drive, Suite 421
Tamuning, Guam 96913

Subject: Section 106 Review:
Route 8 Resurfacing, Barrigada and Mongmong-Toto-Maite, Guam
Project Number GU-THS-0008 (0005)
Request for Concurrence on Section 106 Effect Determination

Dear Mr. Small,

We have reviewed subject undertaking and concur with your determination of "No Historic Properties Affected." Our review of the project's photographic overview of the "areas of potential effect (APEs)" indicated no likelihood that historic properties will be impacted by the project's construction requirements.

However, in accordance with 36 CFR Sec. 800.13 Post-review discoveries, in the event that historic properties are encountered during any work associated with the subject undertaking, the work must be stopped and our office notified immediately for further consultation.

In reference to *Section 800.2 Participants in the Section 106 process*, we are assuming that your reference to the March 9, 2008 letter regarding authorization of former Parsons Brinckerhoff and Parsons Transportation Group to coordinate in "no effect determination" projects, that this authorization now carries over to WSP. We hereby acknowledge the authorization. If you have any questions, please contact our office.

Sincerely,


William N. Reyes
Director


Lynda Bordallo Aguon
State Historic Preservation Officer

Cc: Richelle Takara, FHWA
Glenn Leon Guerrero, DPW

Received

NOV 06 2017

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Eddie B. Calvo
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Department of Parks and Recreation
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490 Chalan Palasyo, Agana Heights, Guam 96910
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William N. Reyes
Director
John P. Taitano
Deputy Director

In reply refer to:
RC2018-0046
Cr. RC2014-0916

April 2, 2018

Lynn Cruz
Environmental Lead
590 South Marine Corps Drive
ITC Building, Ste. 421
Tamuning, GU 96913

Subject: Route 1 Resurfacing (Asan-Piti and Yigo-Dededo)
Project No. GU-NH-0001 (130)
Section 106 Determination of Effect

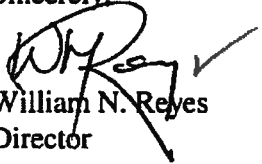
Dear Ms. Cruz,

We concur with your determination of "No Historic Properties Affected" for the subject undertaking. However, should your scope of work or your area of potential effect changes again, please contact our office, all staging areas are within the area of potential effect.

In the case of any inadvertent discoveries notify our office as per 36 CFR PART 800.13 Post review discoveries of the National Historic Preservation Act.

Please do not hesitate to call us should you have any questions.

Sincerely,


William N. Reyes
Director


Lynda Bordallo Aguon
State Historic Preservation Officer

