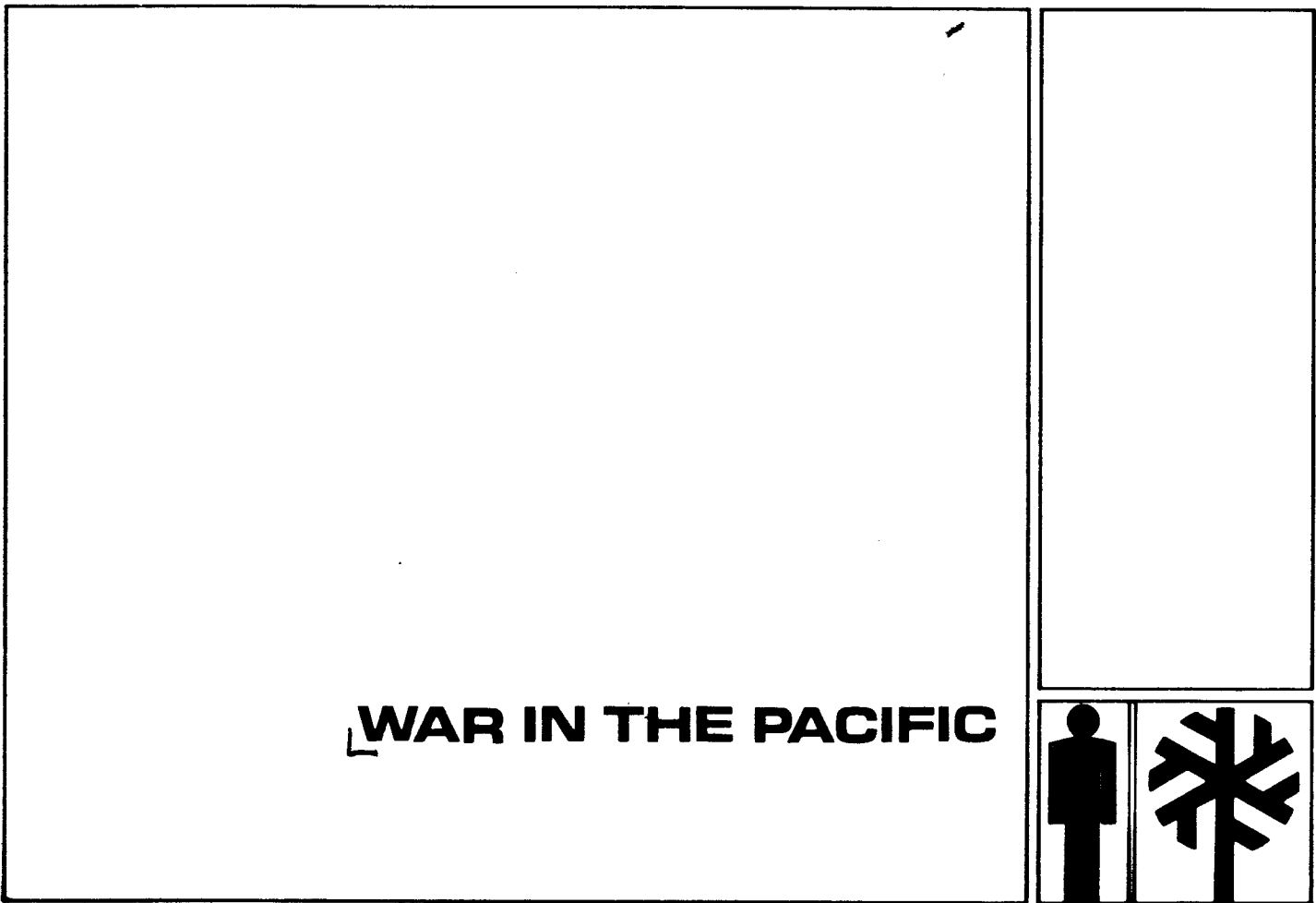
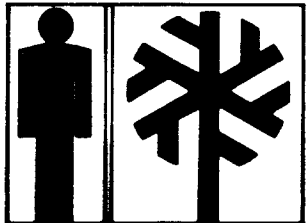


**Land Protection Plan
APRIL 1984**



WAR IN THE PACIFIC



NATIONAL HISTORICAL PARK/HAWAII

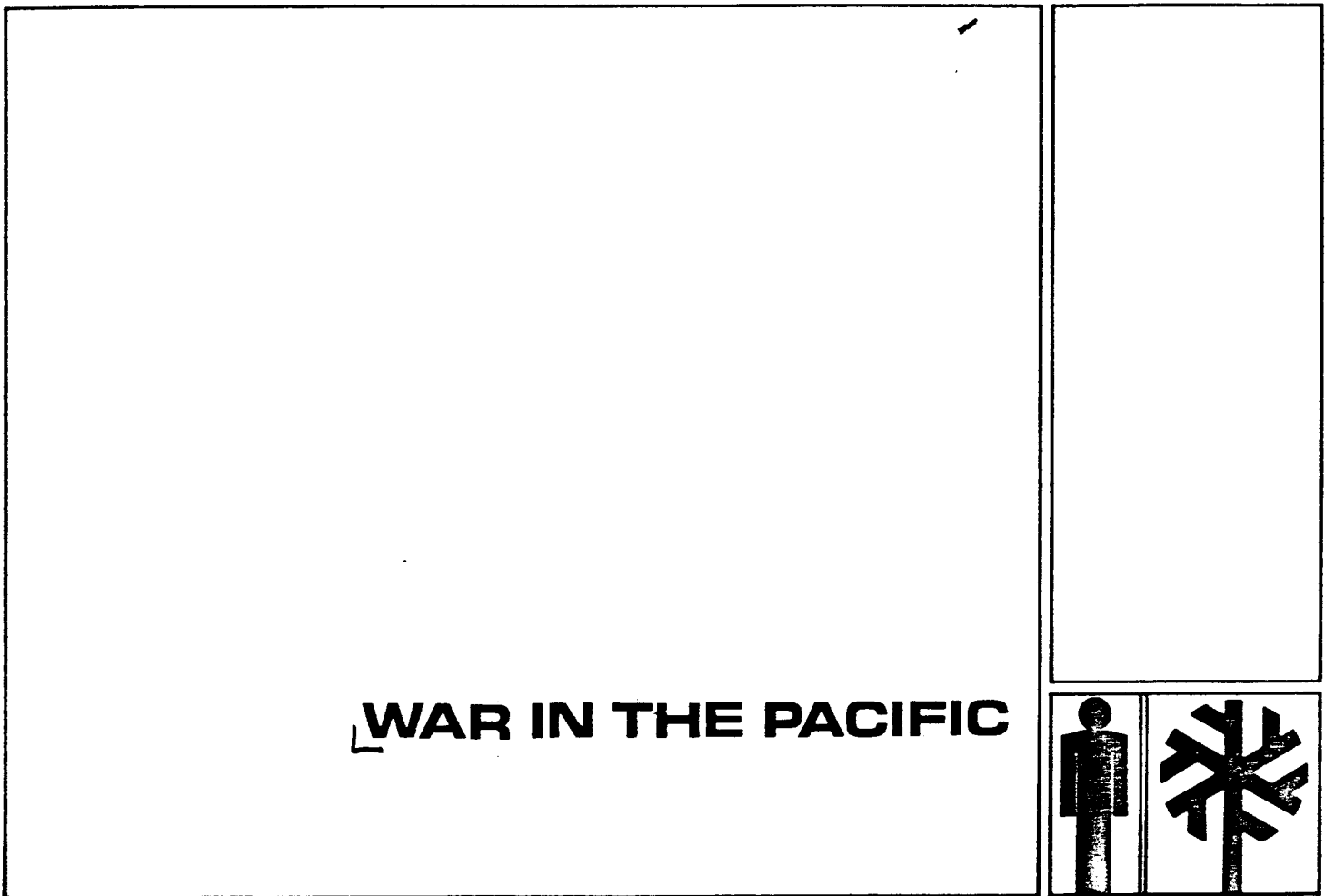
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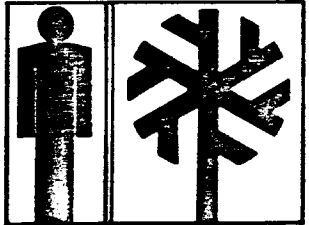
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**Land Protection Plan
APRIL 1984**



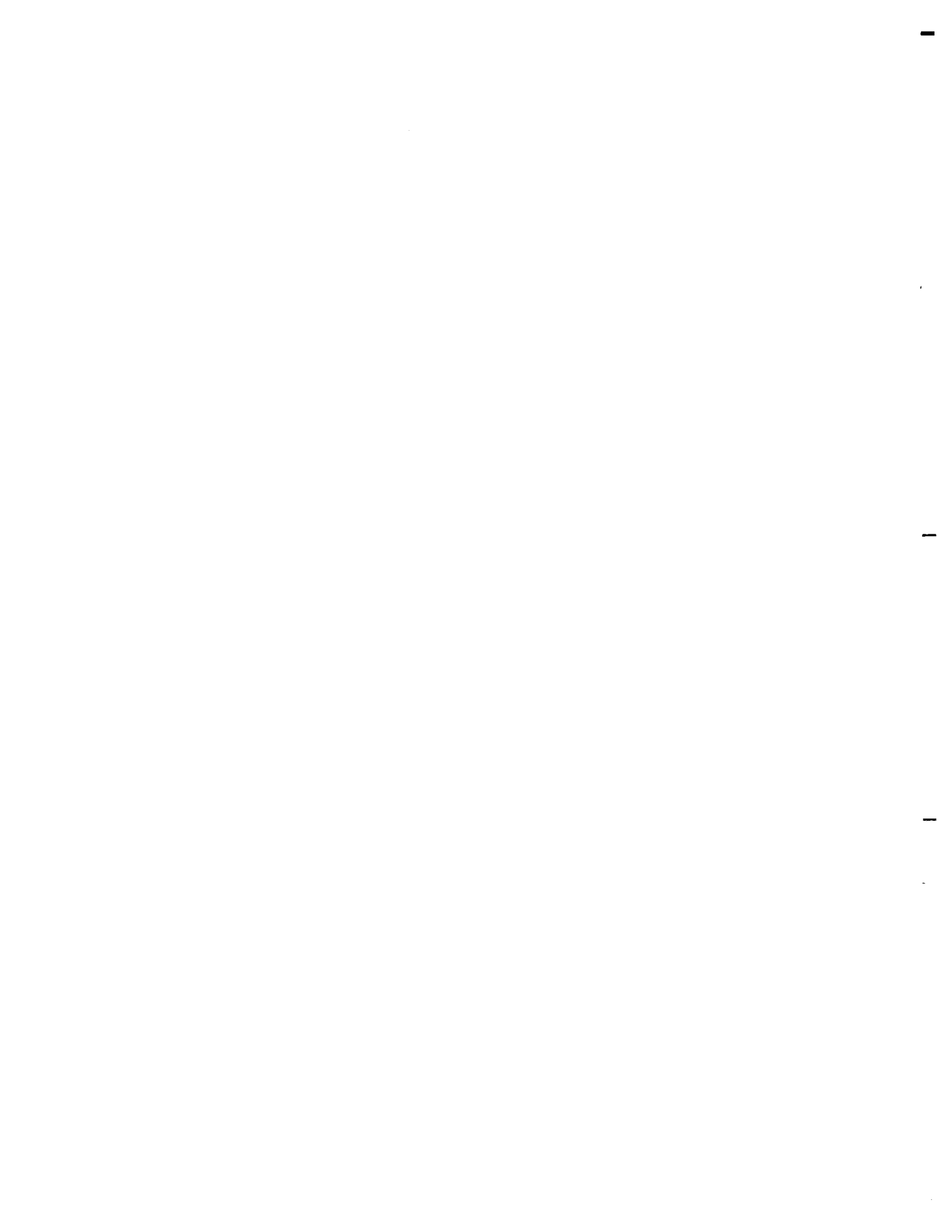
WAR IN THE PACIFIC



NATIONAL HISTORICAL PARK/HAWAII

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ADDENDUM TO
LAND PROTECTION PLAN FOR
WAR IN THE PACIFIC NATIONAL HISTORICAL PARK

August 1986

The purpose of this addendum is to update War in the Pacific National Historical Park's Land Protection Plan which was approved April 17, 1984.

Plan Implementation

Since plan approval, four tracts of privately-owned land have been acquired in fee. Three by purchase and one by a combination of exchange and purchase. These are tracts 102-13, 102-19, 103-01, and 101-45. Tracts 102-13, 102-19, and 103-01 are all located along Asan Beach. Tract 101-45 is located in the Asan Inland unit. The previous owner of this tract offered to exchange his land for Tract 101-53, Federal land located outside of park boundaries. In order to take advantage of the opportunity to effect the exchange, Tract 101-45 was moved up in priority. A difference in appraised value between the two parcels required a Federal equalization payment to the owner.

In addition, tracts 102-01, 102-02 (now 102-23), 102-20, and 102-21 (now 102-22) have been acquired by GovGuam (Guam Housing and Urban Renewal Authority) as part of the Asan Community Development Project (surface water drainage system). These tracts are now publically owned and have been eliminated from the land protection plan's priority listing. These tracts are all located along Asan Beach.

Appraisals have been completed for the following tracts, all located along Asan Beach: 102-05, 102-08, 102-09, 102-12, 103-03, 103-06, 103-09, 103-10, and 101-43. Encroachment problems have thus far prevented 103-10 from being acquired. To date, the National Park Service has not been able to negotiate an agreement on appraised value with the owner of Tract 103-06.

Changes to Plan


A tract of land, 101-38, was listed as an "unknown" ownership as of April 1984. It has since been determined that the owner of record is the Gumataotao family per Commander Naval Marianas Real Estate Office. The Land Registration Division, Department of Land Management, is presently researching the property Deed of said tract of land.

This tract of land has become of increased importance to the park since plan approval. It is located in an area that is now being considered as a potential site for the construction of the park's permanent visitor center. Tract 101-38 appears to be the only land in the area suitable for the construction of needed visitor parking. All of the

other park lands in the area are located on very steep terrain unsuitable for this sort of development.

Tract 101-38 is recommended to be moved up in acquisition priority to number ten (10) directly behind all of the improved tracts at Asan Beach. The tract needs to be acquired in fee to permit the construction of needed visitor use facilities.

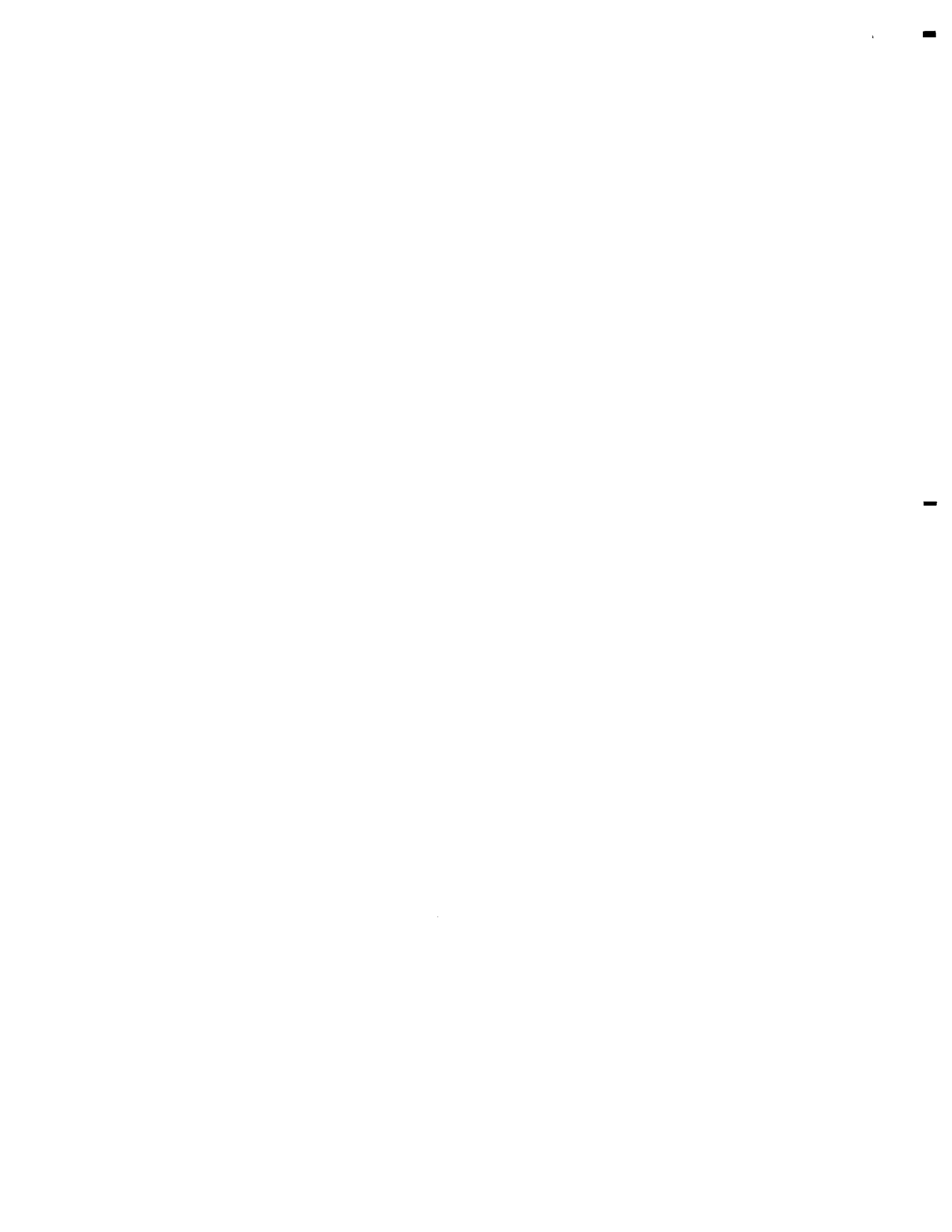
Approved:



Superintendent, War in the Pacific
National Historical Park

08-12-86

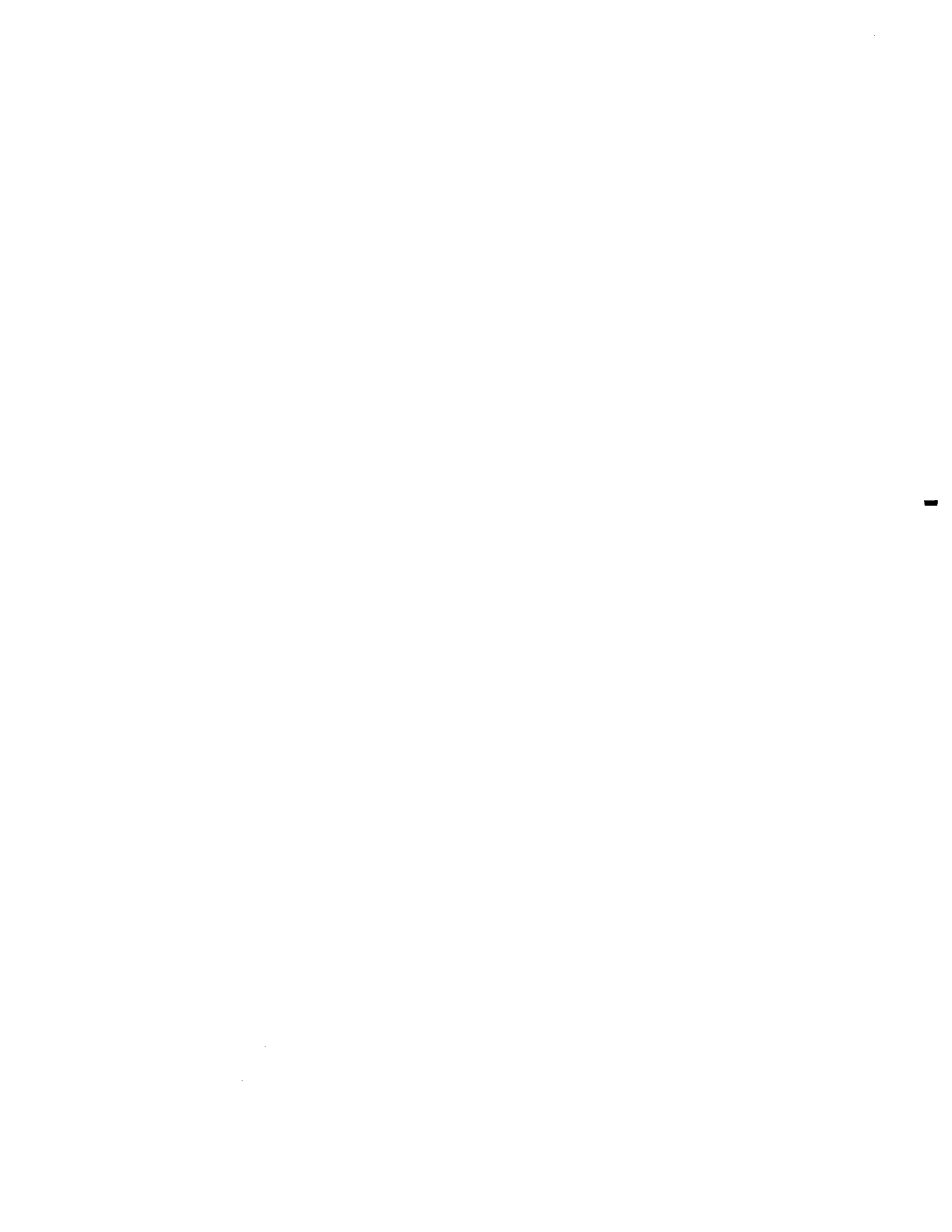
Date



Appendix: Revised Tract Listing

<u>Priority</u>	<u>Tract No.</u>
1	103-10
2	103-06
3	102-16
4	101-49
5	101-50
6	102-09
7	102-15
8	103-04
9	103-08
10	101-38
11	103-07

No change in priority listing for remaining tracts.



GOVERNMENT ACCOUNTING OFFICE AUDIT OF THE LAND PROTECTION PLAN
FOR

WAR IN THE PACIFIC NATIONAL HISTORICAL PARK

GAO Comment:

Plan recommends fee because landowners expect their land to be purchased. (Page 68.)

Response:

Those landowners in the park who were in attendance at the pre-authorization hearings on the park were told that it was the intent of Congress that the Federal Government own all of the lands within the boundary of the park. This created an expectancy among many which gradually turned to impatience and even irritation because of the perceived slowness of the Park Service in acquiring land. It is noted also that the Government of Guam has indicated that protection options other than fee acquisition are not acceptable. This was the situation in 1983 and it continues today. However, it is not the primary reason for the recommendation in the plan for fee acquisition of land along the Asan and Agat beaches and most of the land in the upland above Asan. The reasons are spelled out in the bottom paragraph on page 41 of the plan and are reiterated here:

- (1) The existence of structures either residential or commercial which are non-historic and incompatible with the re-establishment of the historic scene. (This applies to nearly all of the privately owned tracts at both the Asan and Agat beaches.)

(2) The threat of development on lands which are currently in open space. (This applies to several large tracts of land in the Asan upland, some of which were the subject of an adverse use report.)

(3) Where a hardship situation exists.

(4) Land needed to develop visitor use facilities.

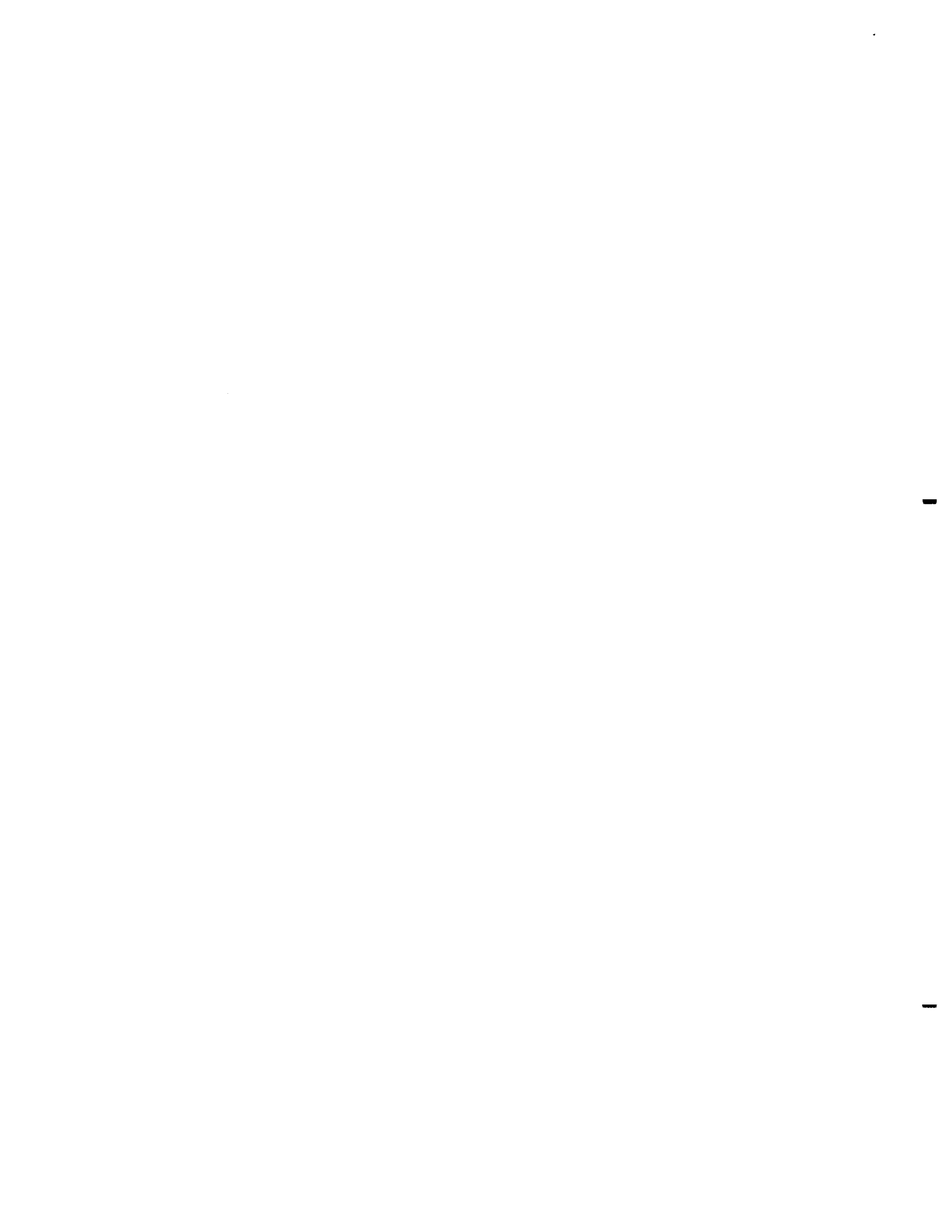
(5) Land where property owners have indicated a willingness to sell.

GAO Comment:

Plan makes no choice on the interest needed. (Page 1.)

Response:

These are the lands and waters within the park under the jurisdiction of the Government of Guam. Nearly all (809 out of 874 acres) are submerged lands. Again, based on the intent expressed by Congress at the pre-authorization hearings, the assumption has been that those areas within park boundaries under the administration of the U.S. Navy and the Government of Guam would be transferred at no cost to the park. While the Navy has completed the transfer of its land to the park, no areas administered by the Government of Guam have been transferred. If that transfer were to occur in the future, it would be through quit claim deeds and the Park Service would thereby acquire any and all interests previously held by the Government of Guam. Short of that transfer, as stated on page 30 of the Plan, NPS would be agreeable to acquiring no real property interest and simply seek to manage Government of Guam lands and waters in the park under the terms of a cooperative agreement. This action is also recommended on pages 57 and 58.



WAR IN THE PACIFIC
NATIONAL HISTORICAL PARK
LAND PROTECTION PLAN

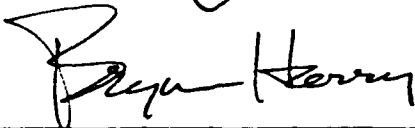
Recommended:



Superintendent

6-6-83
Date

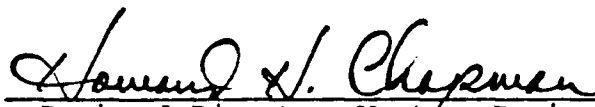
Concurred:



Director, Pacific Area

4/13/83
Date

Approved:



Regional Director, Western Region

4/17/84
Date

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I. SUMMARYWar in the Pacific National Historical Park
Land Protection PlanCurrent Ownership (acres):

Federal	805.92
National Park Service	(601.26)
U. S. Navy	(204.66)
Government of Guam	874.07
Private	237.96
Unknown	7.95
	<hr/>
	1,925.90

Number of Tracts Remaining to be Protected:

Private	53
Unknown	4
Government of Guam	14
U. S. Navy	3

Methods of Protection Proposed (acres):

Fee Acquisition* (from)	192.66 - 1,424.64
Less-than-Fee (up to)	53.25
Cooperative Agreement (up to)	1,078.73

* Would consist of a combination of purchase, exchange, transfer, or donation. Transfers would be U. S. Navy holdings. Donations could include all, portions of, or none of the Government of Guam's holdings, which could also be protected, either all or in part, through cooperative agreements.

Statutory Acreage Ceiling:

None

Funding Status:

Authorized Acquisition Ceiling	\$16,000,000.00
Appropriation to Date	476,555.00
Reprogrammed	100,000.00
Obligated to Date	151,969.32
Unobligated Balance*	424,585.68

* Is actually lower than this figure by approximately \$25,000 since the Guam Housing and Urban Renewal Authority (GHURA) has not yet billed the National Park Service for work completed under contract.

Top Priorities:

See second paragraph, page 39 and page 40 for criteria, and pages 41 through 54 for priority listing of acquisitions.

Special Considerations:

See pages 4 and 5.

II. INTRODUCTION

In April 1982 the Department of the Interior issued a policy statement for use of the Federal portion of the Land and Water Conservation Fund, which requires that, in carrying out its responsibility for land protection in federally administered areas, each agency using the fund will:

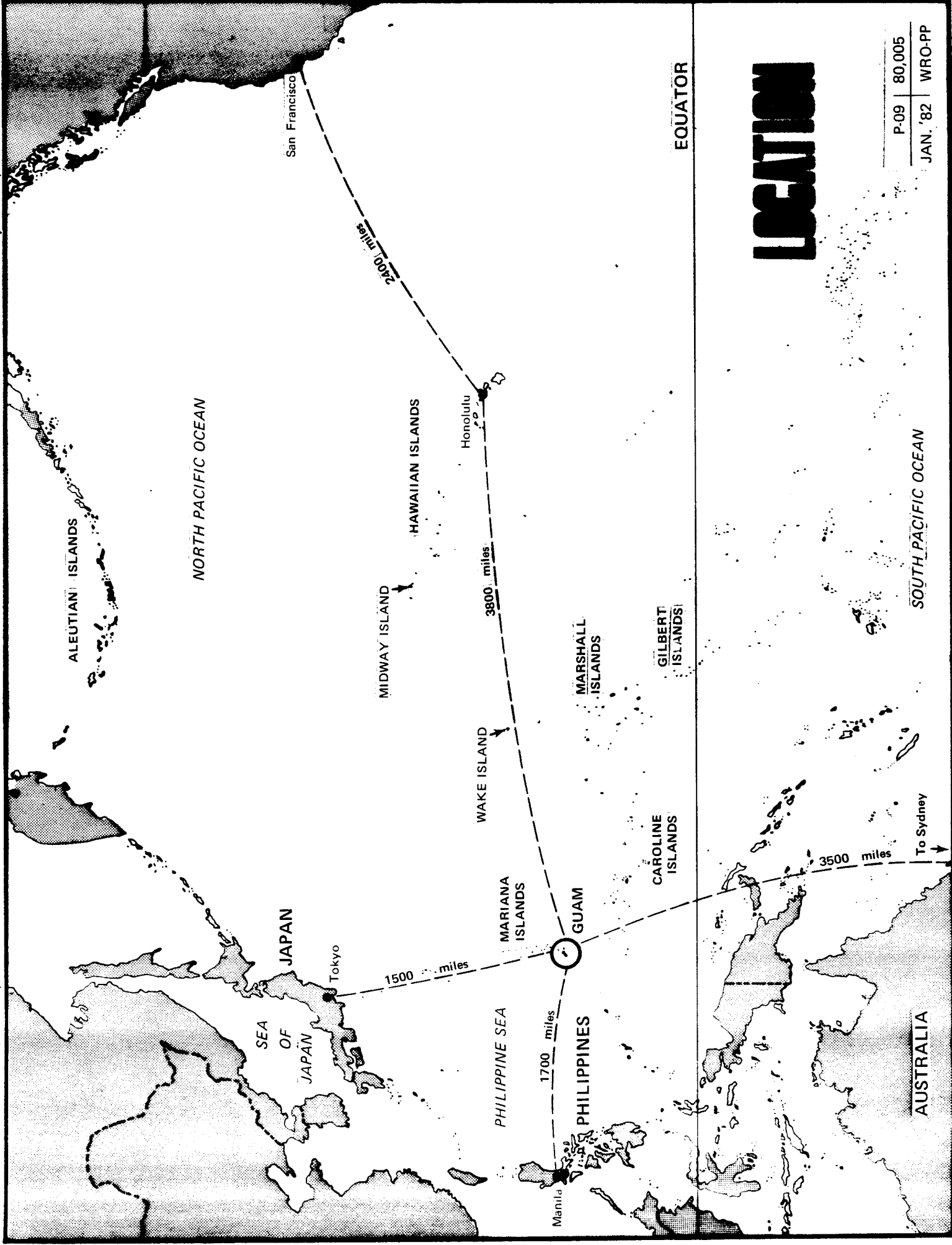
- Identify what land or interests in land needs to be in Federal ownership to achieve management unit purposes consistent with public objectives in the unit.
- Use to the maximum extent practical cost-effective alternatives to direct Federal purchase of private lands and when acquisition is necessary, acquire or retain only the minimum interests necessary to meet management objectives.
- Cooperate with landowners, other Federal agencies, State and local governments, and the private sector to manage land for public use or protect it for resource conservation.
- Formulate or revise as necessary plans for land acquisition and resource use or protection to assure that sociocultural impacts are considered and that the most outstanding areas are adequately managed.

In response to this policy, the National Park Service is to prepare a Land Protection Plan for each unit of the National Park System

containing non-Federal land, which has an active program for the protection of the unit's resources. The purpose of the plan is to identify methods of assuring the protection of the natural, historic, scenic, cultural, recreational, or other significant resources, and to provide for adequate visitor use. The plan will be prepared in compliance with relevant legislation, other congressional guidelines, executive orders, and Departmental and National Park Service policies. The plan shall be concise, prepared with public participation, and with the utmost attention paid to consideration of the many alternatives available for land protection requirements. In addition, once plans have been approved, revisions or updates will be made as necessary to reflect changing conditions.

The major issues to be addressed by the Land Protection Plan are identification of the means necessary to provide sufficient resource protection and provide for public use and establishment of priorities for protection. In addition, any request for or expenditure of acquisition funds will be based on the approved plan.

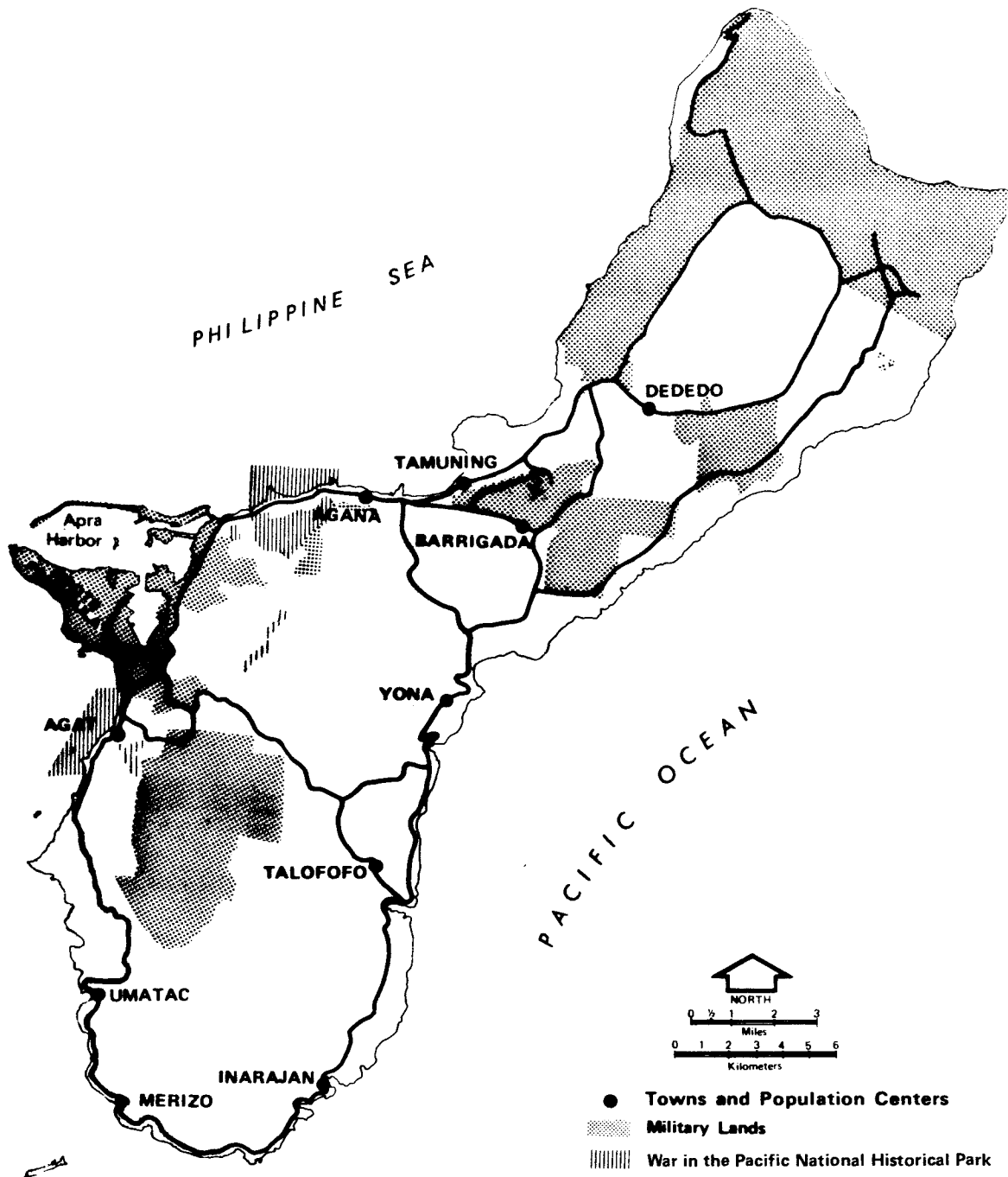
This Land Protection Plan for War in the Pacific National Historical Park is intended to serve as a guide for subsequent activities undertaken by the National Park Service to protect the park's resources and make them available for visitor use. Such future activities are subject to the availability of funds and other constraints. This plan does not diminish the rights of non-Federal landowners in the park.



LOCATION

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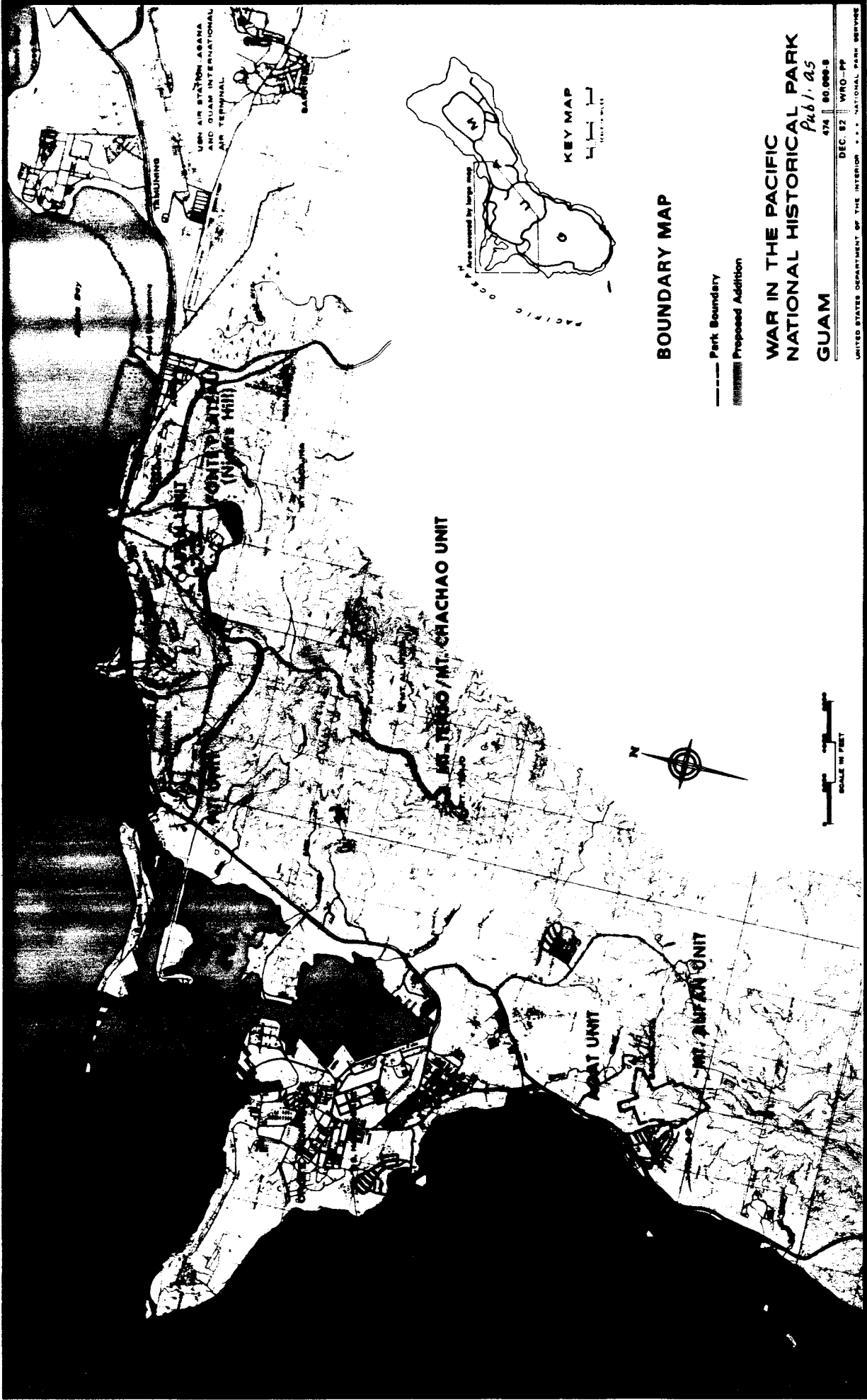
ISLAND OF GUAM

UNITED STATES DEPARTMENT OF THE INTERIOR / National Park Service

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BOUNDARY MAP

--- Park Boundary
 Proposed Addition

**WAR IN THE PACIFIC
 NATIONAL HISTORICAL PARK**
Pub. 85
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SCALE IN FEET

DEC. 82 WRO-PP
 UNITED STATES DEPARTMENT OF THE INTERIOR U.S. NATIONAL PARK SERVICE

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III. PURPOSE OF THE PARK/RESOURCES TO BE PROTECTED

Park Purpose

The purpose of War in the Pacific National Historical Park, found in Section 6(a) of Public Law 95-348, is "to commemorate the bravery and sacrifice of those participating in the campaigns of the Pacific theater of World War II and to conserve and interpret outstanding natural, scenic, and historic values and objects on the island of Guam for the benefit and enjoyment of present and future generations..."

The land and waters which make up the park consist of the 1944 invasion beaches and the sites of the fighting which took place following the landings.

The park's General Management Plan (May 1983) contains the following resource protection and visitor use objectives:

- the preservation and management of important geographical and historical features within the park in order to provide a setting with sufficient historical integrity to adequately interpret the battle for Guam as an example of the island-by-island fighting in the Pacific war;
- the development of an appropriate interpretive program which will foster an understanding of the reasons for the Pacific war, the sequence and nature of its conduct, its effect on the people

involved, its basic themes and broad patterns, the manner of its resolution, and the course of its aftermath;

- the provision of facilities needed to interpret and inform visitors within the context of the existing tour pattern, provision of access to important features and viewpoints, and the provision of culturally sensitive administration and management;
- the protection of high integrity historic sites used for local recreation by developing specific sites to be dedicated to recreation uses within the park;
- the preservation and interpretation of important natural features, such as native plant communities and stream and marine environments for public use and enjoyment.

No native land animals found within the park are currently listed on the Federal endangered species lists. Two species of sea turtles are found within the park's offshore waters, the Green and the Hawksbill, are protected under both local and Federal endangered species acts. There are no endangered plants found within the park.

Legislative, Administrative, or Congressional Directives

Hearings (House Subcommittee on Interior and Insular Affairs) were held on Guam in 1972 on the then proposed War in the Pacific National Historical Park. Testimony given at the hearing pertinent to this plan consists of the following:

- Due to the scarcity of land on Guam, members of the Guam Legislature requested that the park area be limited and that only those areas having the greatest national historical significance be acquired.
- The Governor and the Legislature would support the donation of Government of Guam land within the park to the National Park Service.
- Subcommittee members indicated that their intent was for the Federal Government to own all of the lands included within the boundaries of the park.

The authorizing legislation for the park provides for the Secretary to acquire lands or interests therein within the boundaries of the park by donation, purchase with donated or appropriated funds, exchange or transfer. Up to \$16,000,000 was authorized for that acquisition. To date, about \$575,000 has been made available for land acquisition in the park — \$100,000 was reprogrammed in 1979 and \$476,555 appropriated in 1980.

The administrative policy for the park is based on the Congressional intent to limit the park to those areas possessing national significance, to obtain Government of Guam lands through donations, to acquire all lands in the park, and the subsequent amount of the authorization for land acquisition. This policy has been reiterated by the Superintendent at public meetings and during informal

discussions with landowners. It has created an expectation among private property owners in the park that their lands will be purchased or exchanged for lands outside the park as soon as Federal funding permits. To date, this expectation remains largely unrealized. Except for a 0.26 acre parcel (Tract 102-11) purchased in June 1982 and a 0.59 acre parcel (Tract 103-05) purchased in July 1983, there have been no acquisitions of private lands at War in the Pacific National Historical Park.

These delays have caused some landowners to become dismayed with the National Park Service. Their concerns have been communicated to the Territorial Governor, to Guam's representative in Congress, as well as to other Congressional representatives. In March 1982, the Guam Legislature adopted the following resolution (Number 214):

"requests that the U. S. Government immediately take all actions necessary to complete acquisition of the property in the War in the Pacific National Historical Park and to provide just compensation to the landowners who are now unable to enjoy the use of their land."

Resource Management and Visitor Use

The existing boundaries of the park are limited to those areas which are considered to be of national significance. The park consists of the actual invasion beaches, the adjacent offshore submerged lands and waters, and those inland areas where heavy fighting took place.

The historical park presently consists of six separate units located between the west end of the town of Agana and the south end of the

village of Agat. Two of these units, Asan Beach and Agat, are the sites of the American landings in 1944. The Asan Inland unit, located above the Asan Beach unit, and the Mt. Alifan unit, above Agat, were the locations of battles which followed the landings. The Piti Guns unit contains three large Japanese coastal defense guns. The Mt. Tenjo - Mt. Chachao unit contains sites and features associated with the invasion, but its main purpose is to provide overlooks to view the Agat and Apra Harbor vicinity. The General Management Plan proposes the addition of one more unit to the park. Called the Fonte Plateau unit, it encompasses about 38 acres and includes a cave complex used by the Japanese high command during the battle for Guam.

Resource management for the park is directed toward re-establishing the historic scene; i.e., attempting to return the park to conditions which visually approximate pre-July 1944. The Asan Inland, Agat, Piti, Mt. Alifan, and Mt. Tenjo-Mt. Chachao units of the park were mostly open space lands at that time. Portions of the village of Asan were sited on what is now the Asan Beach unit. In 1944 Asan was a small Chamorro community tied to subsistence fishing and agriculture. After the war, it was relocated to its present site.

Asan Beach: This unit consists of 109 acres of fast land and 445 acres of submerged lands and waters.

The land portion takes in all of Asan Point, portions of Adelup Point, and the beach area in between these two promontories. Asan Point was the site of the former Naval Hospital Annex constructed after the war. This entire area has been cleared of buildings, roads, and parking facilities by the National Park Service and is now in landscaped open space, except for a few concrete foundations. That portion of Adelup Point within the park is undeveloped, but there is an elementary school located immediately adjacent to the park boundary. The coastal area in between contains development, primarily private residences and small retail businesses, all constructed since the war. These structures constitute the greatest extent of development within the park.

There are numerous historic features associated with World War II found in this unit. They are located mainly on the west side of Asan Point and scattered around the perimeter of Adelup Point. These features include gun emplacements, caves, pill boxes, foundations, and foxholes; all are defensive fortifications built by the Japanese. There are also significant Japanese fortifications located just outside the park on the east side of Adelup Point.

The offshore portion contains extensive coral reef formations up to one thousand feet wide paralleling the shoreline. Inside the reef, the depth of the ocean varies from one to four feet. During low tide, parts of the reef are exposed. Camel Rock, a small islet, is located near Asan Point. The remains of pieces of large American military equipment lie underwater in the offshore area.

Before the war, the village of Asan occupied much of the Asan Point area. Rice paddies and other subsistence agricultural activities occupied the outskirts of the village. The offshore reef area was used for food gathering. Destroyed during the American pre-invasion naval bombardment, the village of Asan was subsequently relocated to its present site. Portions of the shoreline on the east side of Asan Point have been filled since the war.

The General Management Plan proposes that this unit be the locale for the major concentration of visitor use in the park. Facilities will be developed at Asan Point to interpret the entire Pacific theater of World War II and its historic background. Opportunities to view the invasion beach and exhibits of World War II equipment will be provided here. Other portions of Asan Point will be utilized for recreational activities, such as picnicking, informal games, and for occasional large social gatherings. Portions of the shoreline will be used for recreational activities, such as fishing and picnicking and for special ceremonies, such as the village's traditional annual memorial service to those who died in the invasion. Adelup Point will be developed with an interpretive exhibit and an overlook.

Agat: This unit is primarily an offshore area consisting of 38 acres of fast land and 557 acres of offshore waters.

The fast land area consists of a strip of about two miles of shoreline, interspersed with seven small parcels between the road

and the shoreline. The terrain here is composed primarily of low coral outcroppings interspersed with a lowlying shoreline. There are also five islets included in the unit.

The Gaan Point area has been cleared and is maintained in open space. A picnic area has been developed at Apaca Point by the National Park Service. Comfort stations are planned for both of these areas. The open area at Gaan contains exhibits and historic features and provides a view of the invasion beach and offshore area; it is currently a stopping point for Japanese tourists. At Rizal Point, an access road, parking area, and comfort station exist, all previously developed by the Government of Guam. The beaches and offshore areas of this unit have traditionally been used by local residents for recreation and food gathering. There are a few small private residences located on two parcels of private land at the southern end of the unit.

The offshore portion consists of a coral reef which parallels the shoreline and extends out from 1,000 to 1,500 feet from the beach. Water inside the reef is from one to four feet deep; during low tide some of the reef formations are exposed.

Along this stretch of coast, there is a wealth of historic features, including caves, bunkers, pillboxes, and latrine foundations, all of Japanese origin and which remain relatively intact. Two of the islets also contain historic remains. There are also the remains of amphibious equipment used by American forces located near the edge of the reef under several feet of water.

Prior to the war, the offshore area was used by the residents of Agat for subsistence fishing and the beach area for picnicking and recreational fishing.

The General Management Plan proposes that the Agat unit also be a major visitor use area. Interpretive facilities will be developed at Rizal, Gaan, Apaca, and Bangi points. Opportunities will also be provided for beach or shoreline recreational use by local residents and include activities, such as boating, fishing, snorkeling, scuba diving (underwater trail), and picnicking.

Asan Inland: This is the largest land unit, containing 552 acres, and the most rugged. The terrain in this unit has changed little since 1944. Except for close to a dozen residential structures scattered throughout the western end, the area remains undeveloped. Portions are still being used for cattle grazing. The entire area encompassed by this unit was the scene of heavy fighting between American and Japanese forces in 1944. Most of the physical remains of the battle are at either end above Asan and Adelup points. These consist of caves, pillboxes, building foundations, a 75mm Japanese mountain gun, and numerous foxholes. These sites and features are all covered by trees and grasses grown up in the area since the war. The upper portion provides a panoramic view of the entire Asan invasion beach area.

The General Management Plan proposes that this area be used primarily for viewing the invasion beach from the overlook to be

located along the road (Spruance Drive) at the upper end of the unit. Interpretive exhibits will be developed at the overlook. There will be some hiking trails developed in the interior of the unit. Also, there will be limited interpretation of natural and historic features here. Park administration and maintenance facilities will be developed in this unit, to be located in the level area directly across the road (Marine Drive) from Asan Point.

Mt. Alifan: This unit lies above the village of Agat and encompasses 158 acres. The terrain is hilly and covered mostly with grasses except for a small area of thick vegetation along the upper slopes. The area is undeveloped except for an abandoned dirt road that crosses it. Before the war, the area was used for the cultivation of field and tree crops and for the pasturing of cattle.

The area contains the largest concentration of World War II sites and features found in the park. These include pillboxes, more than one dozen caves and tunnels, bomb and shell craters. There are numerous foxholes and gun emplacements scattered throughout the unit.

The General Management Plan proposes the development of interpretive exhibits and guided walks along trails. It is expected that this area will receive light visitor use in the form of walks or hikes.

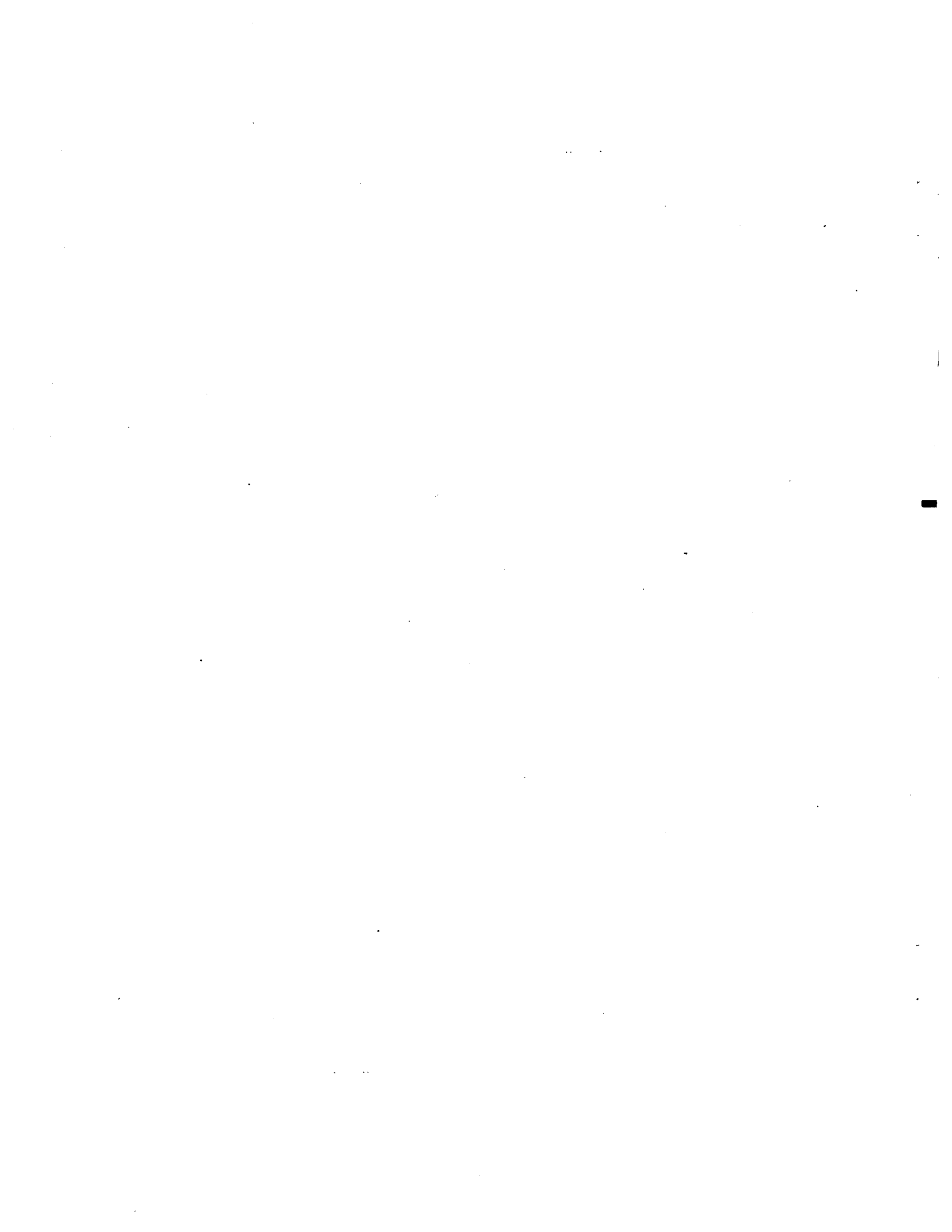
Piti Gums: This is the smallest unit in the park consisting of a single tract containing 24 acres located in the hills above the

village of Piti. The area is undeveloped, except for a single unoccupied residential structure. Its prewar use was as an agricultural experiment station. A mahogany grove was planted here in the 1920's and 1930's and has historic significance. The unit was included in the park to preserve and interpret the three large Japanese coastal defense guns which remain here in good condition.

The General Management Plan proposes the development of interpretive exhibits associated with the Japanese guns. Visitor use will consist of walking to the guns and taking a nature walk to the nearby mahogany grove.

Mt. Tenjo - Mt. Chachao: This unit encompasses 45 acres in a narrow strip along the ridge between the summits of Mt. Tenjo and Mt. Chachao. The park boundaries generally follow the alignment of an existing primitive road. There are larger land areas located at each end of the unit. These provide overlook points for visitors to view the Agat invasion beach. The entire unit is unoccupied and undeveloped except for the road and jeep trail.

The General Management Plan proposes little development for this unit. Interpretive exhibits will be developed at the trail head and terminus. It is anticipated that this unit will receive little use since a considerable walk is involved in order to take in the excellent views.



IV. OWNERSHIP AND NONCOMPATIBLE USES

Public Ownership

All lands within the authorized boundaries of the 24-acre Piti Guns and 158-acre Mt. Alifan units are presently owned by the United States (Department of the Interior). Both of these areas were among those acquired when several tracts were conveyed by quitclaim deed to the United States by the Government of Guam. Three tracts within the Asan Inland unit, totalling 309 acres, were acquired under the same conveyance, as were two tracts located in the Agat unit. These and other Government of Guam lands were acquired in exchange for Federal lands located on Cabras Island which it conveyed to the Government of Guam for use as a commercial park and industrial park site.

Within the Asan Inland, Agat, and Piti Guns units of the park, there are a number of residential and auxiliary structures. Some of these structures are on private lands and the others are on lands which were quitclaimed to the United States by the Government of Guam. Those structures on Federal lands are occupied by tenants who have resided on these lands for varying periods of time. The tenancies were originally created and the structures were constructed under permits issued by the Government of Guam prior to the conveyances to the National Park Service. These structures are probably not compatible with long-term management objectives for the park.

Jurisdiction over two tracts of Federal land in the Asan Beach unit, comprising about 47 acres, and three tracts of land in the Asan Inland, comprising about 56 acres, have been transferred to the Department of the Interior. These tracts were all former excess Navy properties. As noted, the structures which comprised the Navy hospital facilities have all been removed and the Asan Point area is now primarily in open space.

Two tracts, 0.26 acre and 0.59 acre, of developed private properties located along the coast between Asan and Adelup points within the Asan Beach unit have been purchased by the United States.

The above tracts, encompassing approximately 600 acres of land in all, comprise the extent, to date, of lands in the park owned and administered by the National Park Service. In addition, the Park Service has secured an access easement from the Government of Guam on a one and three quarter acre parcel located just outside the Asan Inland unit.

Non-National Park Service lands in public ownership — that is, owned either by the Government of Guam or the U. S. Navy — within the authorized boundaries total approximately 1,078 acres. Of this total, about 1,002 acres are submerged lands, about 809 acres of which fall under the jurisdiction of the Government of Guam and about 193 acres are under the jurisdiction of the U. S. Navy. About 65 acres of land in the park are still owned by the Government of Guam and about 11 acres by the U. S. Navy. The National Park Service has formally requested that the U. S. Navy transfer the

single tract of land located in the Agat unit which comprises this 11 acres.

Private Ownership

Privately owned lands within the park account for about 238 acres. Their general location and extent are as follows: Asan Inland, 182 acres (plus about 1-1/2 acres of unknown ownership); Asan Beach, 8 acres; Agat, 5 acres (plus about 6-1/2 acres where ownership is unknown); and Mt. Tenjo - Mt. Chachao, 44 acres.

Asan Inland: Scattered throughout the Asan Inland unit are 21 tracts of privately owned lands and a single tract whose ownership is unknown (Tract 101-38). These tracts range in size from about one-half acre to about 57 acres. Except for several small residences and a short access road at the western end of the unit, these lands are presently undeveloped; portions have been used for cattle grazing. The remainder is in open space.

In February 1983, two tracts were cleared of vegetation with the use of heavy equipment. The landowner has indicated that he intends to subdivide the cleared area into one-half acre lots. The cleared area appears to encompass approximately 15 acres, nearly half of the 33 acre tract. The use of heavy equipment is a real threat to the historic features known to be in the area and, in fact, some may have already been damaged or destroyed during the clearing. The clearing of vegetation has already caused considerable alteration to the historic scene in the area, but this is a temporary condition. These activities are incompatible with management objectives for

this area. Other tracts in the Asan Inland unit are also susceptible to development pressure.

Asan Beach: Within the Asan Beach unit, there are 26 tracts of private holdings, ranging in size from about 2,000 square feet to more than three-quarters of an acre. These tracts are all located along Marine Drive between Asan and Adelup points. About one-half of these tracts contain development, nearly all of it in the central portion. This development consists of several bars, a number of residences, two small apartment buildings, a drug store, a health food store, a grocery store, a two-story office building (presently occupied by the National Park Service and being utilized as a visitor center/administrative office), and abandoned and dilapidated buildings and shacks. These structures all constitute major intrusions on the historic scene. The abandoned buildings and shacks constitute fire hazards as well as hazards to public safety. The presence of all these structures serves to prevent any re-establishment of the historic scene in this area. Further east, next to Adelup Point, a dilapidated warehouse and beach shelters occupy a single tract of private land. Likewise, these structures represent visual intrusions on the historic scene; in addition, they prevent public access to a key interpretive vista proposed at Adelup Point. None of the above described developments are compatible with the management objectives developed for the Asan Beach unit of the park.

Agat: Within the Agat unit, there are three tracts of land in private ownership. Two of these tracts contain residences. These residences are not compatible with the objectives of the General Management Plan since development is proposed here for interpretive exhibits; the area is also needed for access to historic sites located on nearby Bangi Island. In addition, there are three tracts in this unit where legal ownership has not been determined.

Mt. Tenjo - Mt. Chachao: The three tracts of privately owned lands which make up the entire Mt. Tenjo - Mt. Chachao unit are presently unoccupied and undeveloped, except for a jeep trail which runs along its length. These lands, due to their remote location, remain unoccupied. At this time, there are no uses taking place which are judged to be incompatible with the management objectives developed for this unit.

Conclusions: The residential and commercial uses now taking place on private lands located between Asan and Adelup points are wholly incompatible with management objectives for this part of the park. Collectively, they constitute the greatest existing intrusion on the historic scene.

On two tracts of land within the Asan Inland unit, heavy equipment has been used to clear a large area of vegetation, resulting in a major alteration of the historic scene and very likely the destruction of existing historic sites in the area. Moreover, these activities may be precursor for subdivision and eventual development

of these lands. There is development pressure on other lands in the Asan Inland unit. The possibility of development in the Asan Inland unit is the greatest potential threat to park values.

Authorities and Laws Regulating Land and Water Use

There are numerous Government of Guam laws, regulations, and executive orders under which the various Territorial agencies are authorized and directed to regulate land and water uses. Some of these have applicability within the park.

Comprehensive long-range planning on Guam was initiated by statute in January 1975. A Central Planning Council was thereby established, which presently consists of members of the Territorial Planning Commission. Created also within the Office of the Governor was the Bureau of Planning, which serves as staff to the Territorial Planning Commission and administers central planning functions. Among the responsibilities of the Bureau of Planning is the preparation of a Comprehensive Development Plan for Guam.

Guam's Comprehensive Development Plan was completed in 1978 and contains a set of policies for the general distribution, location, and extent of land uses on the island. The plan identifies four land use classifications for the island to guide development and future zoning. The four districts are urban, rural, agricultural, and conservation.

The Comprehensive Development Plan also provided the basis for Guam's Coastal Management Program, prepared in 1979 under the provisions of the Federal Coastal Zone Management Act. The Coastal Management Program contains a set of policies for governmental processes, development, and resources. The overall objectives of the Comprehensive Development Plan and the Coastal Management Program are very similar and these two efforts have essentially been merged into one.

Executive Order 78-37 issued by the Governor in November 1978 requires all Government of Guam agencies to carry out their responsibilities in a manner consistent with the policies of the Coastal Management Program.

Guam's zoning law is administered by the Territorial Planning Commission and authorizes the establishment of the following zones: single family dwelling, multiple dwelling, commercial, resort hotel, light industrial, heavy industrial, and agriculture.

The Territorial Seashore Protection Act of 1974 and the Territorial Beach Areas Act of 1973 regulate land uses along the shoreline. The former, as amended, establishes a "seashore reserve" which takes in an area extending seaward to the ten fathom contour and inland to the nearer of the following points: (1) from the mean high tide line to a distance of ten meters on a horizontal line or (2) from the mean high tide line to the inland edge of the nearest public right-of-way. A special permit following review by the Territorial

Seashore Protection Commission is required for all development taking place within the reserve. However, those villages in which buildings were constructed along the shoreline prior to the effective date of this Act were excluded. Prior to 1976, the permit zone extended to 100 meters of the shoreline; however, reconstruction legislation following Typhoon Pamela reduced the zone to 10 meters.

The Territorial Beach Areas Act establishes "territorial beach areas" by (a) asserting public ownership of those areas between mean high tide and the low tide line that had not been disposed of prior to January 1972 and (b) by confirming public rights or easement previously acquired extending up to 25 feet inland from the two-foot contour line. The Department of Parks and Recreation administers these territorial beach areas for public recreational and fishing purposes. The Act also authorizes the reacquisition by condemnation, exchange, or purchase of the ocean shore where it has been lost to private ownership; i.e., where no public rights exist as a result of dedication or prescription.

Management of flood hazard areas are covered in Executive Order 78-20 issued by the Governor in August 1978, special rules and regulations were subsequently adopted by the Territorial Planning Commission. Guam's Coastal Management Program reinforces these regulations through its identification of areas of particular concern (APC). The purpose of the APC designation is to call attention to these areas by providing an additional management

capability to ensure that, if development takes place, it is carried out with a high degree of environmental sensitivity. In certain very fragile or hazardous areas, like floodplains, adequate protection of resource values and the public interest may require strict limitations on use and development.

The Guam Land Conservation Act, enacted in February 1975, provides for the preservation of open space. The Act enables landowners to enter into a contract with the Government of Guam (Department of Agriculture) for including their property within designated Agricultural Preserves. The contract serves to restrict these lands to agricultural or recreational uses. Lands within the Agricultural Preserves are assessed on their existing rather than highest and best use. Contracts run for a minimum of ten years and are automatically renewed each year for a one year period, unless the owner gives a notice of non-renewal. Prior to approving the cancellation of a contract, the land is assessed at its full market value so that the amount of deferred taxation can be determined. This amount serves as the basis for the cancellation fee which can be imposed on landowners.

Another mechanism for regulating land and water use is the Subdivision Law, enacted in December 1962. The Act requires approval from the Territorial Planning Commission for the division of any parcel of land into six or more lots. In 1975 the Subdivision Law was amended to require the dedication of land to

guarantee public access to the coastal shoreline and to public lands for recreational purposes.

Status of Current Acquisition/Protection Program

Since the park's authorization in November 1978, there has been a single appropriation of \$476,555 in 1980. In 1979, \$100,000 was reprogrammed. Since then, there have been no appropriations for land acquisitions for the park. As mentioned earlier, to date, there have been two purchases of private lands by the National Park Service within the park, a 0.26 acre tract and a 0.59 acre tract, both located along the shore of Asan Bay between Asan and Adelup points. This 0.26 acre tract was purchased in 1982 at a cost of \$62,000 and the 0.59 acre tract was purchased in 1983 at a cost of \$83,600. The Guam Housing and Urban Renewal Authority (GHURA), under cooperative agreement with the National Park Service, has been securing appraisals, title, examination reports, and final closings, subject to approval by the National Park Service. GHURA is being compensated for its related expenses and expenditures out of the existing appropriation. In 1982 appraisals were made on four other tracts of private lands, three within the Asan Beach unit and one within the Asan Inland unit.

Included within those several tracts which were conveyed by exchange deed by the Government of Guam to the United States were four tracts which are located outside of the authorized boundary of the park. One of these tracts, encompassing about 42 acres, is located at the

eastern end of the Asan Inland unit. Another, a 74-acre tract, abuts the eastern side of the Piti Guns unit. Owners of private property within the park have expressed an interest in these two tracts as exchanges. To the south of the Agat Unit is a three-acre tract. Lastly, in the vicinity of the Mt. Tenjo - Mt. Chachao Unit is a 200-acre tract. To date, based on inadequacies in the legal description included within the conveyance, the exact location and configuration of this last tract has not yet been determined.

Social/Cultural Characteristics of the Surrounding Community

The park, as authorized, is located on the western side of central Guam in six separate units. Agana, the capitol and population center of Guam, is located about two miles east of the park visitor center at Asan. Three of the park's units, Asan Beach, Agat, and Asan Inland, are located next to developed areas; two, Piti Guns and Mt. Alifan, are located in more rural locations; and one, Mt. Tenjo - Mt. Chachao, is located in a remote area.

The village of Asan is situated in the middle of and surrounded by the Asan Beach and Asan Inland units of the park. This community has been undergoing redevelopment for the past several years in accordance with a plan prepared in 1977 by the Guam Housing and Urban Renewal Authority (GHURA). The project is being financed through the Department of Housing and Urban Development's community block grant program. The Asan Community Redevelopment Project calls for the installation of modern road, utility, and drainage

infrastructures around which new residential, commercial, and recreational facilities will be built.

The entire project encompasses about 100 acres, about half of which will be utilized for residential development. More than 20 acres will be used for the development of transportation, utility, and drainage infrastructures. The remainder will be devoted to commercial, recreational, and open space uses. The project boundaries coincide with park boundaries, except for the shoreline area on the ocean side of Marine Drive which is the central part of the Asan Beach unit. The project plan calls for this particular area to be used for open space and public recreation. The management goals developed by the National Park Service for the Asan Beach unit are consistent with the project plan.

The plan indicates that Federal monies have been budgeted for the acquisition of those shoreline properties, along with the disposition of the existing residential and commercial structures there. According to the plan, the Haloda Building, where park headquarters is now located, is to be exempted if an acceptable public use is identified for the structure.

There has been coordination and consultation between the National Park Service and GHURA with regard to the development of the park and the rehabilitation of the village of Asan. GHURA has identified tracts of land in the Asan Beach Unit as the site for the construction of the storm drainage system for the village. It is their intention to acquire these tracts.

The Public Utilities Agency of Guam (PUAG) is in the process of acquiring tracts of land located within the Asan Inland unit of the park. PUAG intends to use these lands to construct a large water storage tank to serve the village of Asan and to develop an access road to that tank. The National Park Service has suggested mitigation measures which, if implemented, would mean that these facilities would not constitute an intrusion on the historic scene.

Nearly all of the privately owned lands in the park are listed as owned by individuals. Only six tracts are listed as owned by either corporations or organizations. These individually owned lands have been in the same families for many years, some of them for several decades. There are several absentee owners.

Landowner attitudes and interests vary from individual to individual, but generally they can be grouped into two main categories: (1) those who desire to sell and be relocated by the National Park Service as soon as possible and, (2) those who wish to be left alone as long as possible. There are, however, a couple of landowners who are exceptions; they have indicated that they are unwilling to sell their property.

About two-thirds of the owners fall into the first group and about one-third in the second group. Some of the landowners in the first group have expressed their concerns to the Superintendent on numerous occasions over the past several years. These owners have become increasingly upset because the National Park Service has not

been able to acquire their properties as quickly as they would like. Several landowners in both the Asan Inland and Asan Beach units maintain that these delays are causing them substantial financial hardship. Some of them have threatened to proceed with the development of their property. As noted, a property owner has made good on his threat and has proceeded to clear his land with the idea of subdividing it.

At the public meeting held on the preparation of this plan in April 1983, a few landowners indicated that they were unwilling to sell their properties. They stated that for them monetary compensation could not replace the loss of their land. This was the first time these sentiments had been expressed to the National Park Service.

Property owner complaints over delays in being bought out by the National Park Service have been communicated to the Governor of Guam, to Guam's representative in Congress, as well as other Congressional representatives. As noted, the Guam Legislature, responding to the concerns of constituents, passed a resolution in March 1982 requesting that the National Park Service proceed immediately to complete acquisition in the park. Copies of the resolution were sent to the Executive and Legislative branches of the Federal Government.

V. PROTECTION ALTERNATIVES

The alternatives listed below are discussed in terms of their applicability to War in the Pacific National Historical Park and their potential effectiveness in protecting resources there.

Cooperative Agreement

Those lands and waters in the park remaining under the jurisdiction of the Government of Guam and the U. S. Navy, in lieu of donation or transfer to the National Park Service, could be retained under their existing ownership and managed by the Park Service under the provisions of cooperative agreements. These cooperative agreements would have to give the National Park Service the authority to maintain and, in some cases, restore the integrity of the historic scene. Provisions for public access would have to be included in any agreement with the U. S. Navy. The National Park Service would assume responsibilities for operation, maintenance, visitor services, etc. Allowable and unacceptable uses would have to be spelled out. Also, provisions would have to be made for law enforcement responsibilities on these lands and waters.

There appears to be no interest among private landowners in entering into a cooperative agreement with the Park Service. There is little incentive to the landowner and the Park Service has no guarantee that the landowner will follow the provisions of the agreement. Consequently, there is no assurance of long-term protection of park resources.

Regulation

Zoning: The seven acres of the Asan Beach unit in private ownership are zoned for residential and commercial uses, as is the shoreline along the Agat unit. In view of the existing and allowable uses in these two locales, zoning offers no potential for protecting park resources, even in the short term. The other units containing private lands, Asan Inland and Mt. Tenjo - Mt. Chachao, are both zoned for agricultural uses. Permitted uses under this zoning include residential structures, warehouses, and barns; conditional uses include schools, churches, hospitals, as well as wholesale and retail stores. Likewise, even in the undeveloped portions of the park, zoning appears to offer little potential as a tool to protect park values.

The existing zoning in the Asan Beach and Agat units of the park has allowed uses which are incompatible with management objectives, particularly those related to restoration of the historic scene and providing for visitor use. The range of permitted uses in the Asan Inland unit allows development there which would have an adverse effect on the maintenance of the historic scene.

Under the existing zoning in the park, there is no guarantee that those lands in the park currently undeveloped will remain so. There would be a continuing and probably increasing pressure to develop. As this development proceeded, land values in the vicinity would tend to escalate.

Those portions of the Asan Beach and Agat units containing private lands are located within a designated flood hazard area (area of particular concern or APC). As mentioned, within these areas, special rules and regulations have been established and must be adhered to before a development permit can be issued. However, these rules and regulations do not preclude development in the flood hazard area if it meets certain standards. Consequently, the flood hazard designation does not necessarily prevent additional development from occurring within the Asan Beach and Agat units and, of course, has no effect on the existing development.

Seashore Protection Act: The seashore reserve established by this Act is intended to protect the shoreline from incompatible development. However, the permit zone does not apply to areas which were developed prior to 1974. Since there were buildings constructed in both the villages of Asan and Agat prior to the cutoff date, the permit zone set up by the seashore reserve does not apply here. Besides, the permit zone is targeted on new development and has no effect on existing structures which constitute the principle concern in these two units.

Beach Areas Act: This Act's purpose is to guarantee public access to the shoreline portions of Guam, including the shoreline within the historical park. It also has the potential of being used by the Government of Guam to purchase private lands along the park's shoreline where no public access rights now exist. However, none of

the shoreline portions of the park presently lack public access. The Act, unfortunately, has no usefulness for maintaining or restoring the historic scene, or otherwise protecting park values.

Easement

There are park lands where fee simple ownership may not be necessary if uses can be limited to existing ones and other uses can be effectively and permanently prohibited. Provisions in such easements should limit the owner's use of these lands to grazing or certain kinds of agricultural uses, as well as not allow the removal of vegetation so as to protect the historic scene. These easements should include allowing for the establishment of public right-of-way corridors on these lands.

There are several tracts of land within the Asan Inland where an open space easement would achieve the needed level of protection. However, on the largest and most strategically located tracts, threats of incompatible developments already exist. Landowners here are unwilling to give up their development rights. On most of the remaining tracts in the unit, property owners have indicated that they wish to sell.

Opportunities do exist for securing less-than-fee interests on those tracts where there is no threat of development and where property owners have requested the National Park Service to allow them to remain as long as possible.

Management objectives identified for the Mt. Tenjo - Mt. Chachao unit allow for less-than-fee purchase. A public right-of-way would need to be secured along the existing jeep trail and provisions made for allowing the development of interpretive exhibits. Restrictions in the easement would limit the land to existing uses.

Tax Incentives

The Guam Conservation Act enables the Government of Guam, in response to landowner requests, to designate agricultural preserves. Within the preserves, lands are then appraised on the basis of their existing use rather than on highest and best use, thereby providing a financial incentive for landowners to keep their property in open space uses.

Private lands within the Asan Inland Unit may qualify for preserve designation. To date, however, no landowner has requested that his property be enrolled. Apparently, the program remains untested island-wide. Although a penalty can be imposed (in the form of deferred taxation) if a landowner opts not to renew his contract, there is still no long-term guarantee that the property will remain in open space uses.

Fee

Fee simple acquisition is required on lands needed to develop visitor use facilities, or where there are existing or potential land uses which adversely intrude on the historic scene. Fee simple is also required on lands where property owners do not wish to sell a less-than-fee interest.

On Guam, there appear to be three different ways to pursue fee simple acquisition: exchange, donation, and purchase.

Exchange: As mentioned, there are four tracts of land totalling about 309 acres which have been quitclaimed to the National Park Service by the Government of Guam and which lie outside of the authorized boundaries of the park. These lands are in effect, "trading stock," which should be utilized by the National Park Service to secure equal value exchanges for private lands located inside the park. These tracts of land provide the most cost-effective way for the Park Service to acquire private lands located in the park.

Due to the large amount of U. S. land on Guam administered by the military services (about 30 percent of the island) and the fact that portions are periodically declared excess, there exists a source of lands available locally which have potential as exchanges for private property located within the park.

Although the transfer of jurisdiction for exchange purposes and the exchange use of Federal surplus property has considerable potential, it is a complicated and time-consuming process due to the many requirements and restrictions involved. Another complication is the Government of Guam's position that surplus Federal properties should be turned over to them. To this end, they have sought special Federal legislation which, if enacted, would require that all surplus properties be turned over to the Government of Guam.

They are also involved in acquiring specific pieces of surplus property through the General Services Administration's application process. In a recent report, recognizing that they will not always be able to secure surplus properties, the Government of Guam has proposed that these lands be zoned (Federally owned lands are not subject to zoning regulations) to assure that in the event they become private, they will be utilized in a way compatible with stated island-wide land use objectives. In addition to the above constraints, the National Park Service would have to seek and be granted an exception to the requirement for fair market reimbursements for any surplus Federal property used for exchange purposes.

Donation: There appears to be potential for the National Park Service to approach the owner of property located in the Asan Beach unit with the suggestion to consider a donation to the historical park. The basis for pursuing a donation on this particular property is the close tie the park theme has with the nature of the organization owning it (the V.F.W.). During the review period for this draft plan, the National Park Service approached the property owner's representative regarding a donation. The proposal was subsequently rejected by the owner (no tax advantage) and, as noted earlier in this plan, the National Park Service has completed the purchase of this tract.

The owners of lands located in the Mt. Tenjo - Mt. Chachao area may also be interested in a donation. Most of the lands in this unit are a small part of a much larger lot (2,779 acres) under single ownership. The entire lot is very rugged, in open space, remotely located, and appears to have very limited development potential.

As noted earlier, the Guam Housing and Urban Renewal Authority and the Public Utilities Agency of Guam are planning to acquire tracts of privately owned lands located within the park in order to carry out agency responsibilities. These tracts are located in the Asan Beach unit and the Asan Inland unit. Once these lands have been acquired, these agencies may wish to consider the advantages involved in donating their interests in these lands to the National Park Service, while retaining the right to operate and maintain the facilities they developed there.

Purchase: Based on landowner interests and attitudes and the stated management objectives of the park, the fee purchase of the following categories of private lands in the park appears to be necessary:

(1) where there is an imminent threat of development, (2) where there are structures present which intrude on the historic scene, (3) where visitor use facilities are proposed, and (4) where there is personal hardship to a property owner.

All of the private lands within the Agat unit, nearly all of the private lands within the Asan Beach unit, and most of the private lands within the Asan Inland unit fall into one or more of the above categories.

Effectiveness of Alternatives

Based on the foregoing discussion, the conclusion is that non-fee alternatives have limited potential for protecting park resources. The presence of development threats and the expressed desire of property owners to sell applies to most of the tracts within the Asan Inland unit where an open space easement would achieve the needed level of protection. Cooperative agreements appear to have applicability only on non-Park Service public lands in the park. The range of allowable uses under the existing zoning categories permits developments which would be incompatible with the maintenance of the historic scene. Those Government of Guam ordinance which are designed to limit development and provide public access to shoreline areas offer little additional protection levels to the park. Lastly, there has been no indication of interest by landowners in enrolling their property in agricultural preserves. This leaves fee purchase as the most effective way to carry out park management objectives for providing long-range protection to historic sites and structures, restoring the historic scene, and providing visitor use facilities.

Social Impacts of Alternatives

Based on the concerns expressed to date by many landowners, it is assumed that regulatory or less-than-fee alternatives to fee simple acquisition would not be looked upon with favor. Nearly all landowners in the park eventually expect to be compensated for their lands. The fee simple purchase of private lands appears to be the

alternative most responsive to the stated needs and concerns of landowners.

As noted earlier in this plan, landowners within the park over the past several years have expected to have their lands purchased or be given equal value lands in trade, contingent upon the availability of Federal funding. Most of the property owners within the park appear to be willing to have their lands purchased by the National Park Service. Of the remainder, most appear to accept the idea of being bought out some time in the future but have requested that they be left alone as long as possible. There are a few landowners who recently have stated that they are unwilling to sell their properties.

The fee simple acquisition of private lands by the National Park Service would appear to have a positive effect on most of the property owners in the park. Those who find themselves to be in a financial hardship situation would benefit the most. Those few landowners who do not wish to sell would be adversely affected by fee simple acquisition since they could eventually be forced to sell.

The purchase of residential and commercial properties along Marine Drive in the Asan Beach unit with the idea of tearing down the buildings there has been publically aired during the preparation of the redevelopment plan for the community of Asan. This plan was prepared prior to the establishment of the park. This proposal

appeared to have the general support of the residents. The Asan Community Redevelopment Project calls for this entire area to be in open space reserved for park and recreation purposes. The acquisition of these commercial and residential properties by a public agency would lower the amount of property tax collected in the area which would be an adverse economic impact.

Acquisition of the undeveloped portions of the Asan Beach unit would prevent any additional residential and commercial construction from taking place there. This would be an adverse economic impact since these potential residential and commercial properties would be taken off the tax rolls. Also taken off the tax rolls would be properties in the Asan Inland unit with development potential, thus depriving the Government of Guam of an additional source of revenue if these lands were allowed to be developed for residential uses. Also, residents of Guam would be deprived of the availability of new housing units in the area.

Offsetting the above losses in tax revenue would be the costs to Government of Guam for providing additional utility services. Also, it is anticipated that there would be increases in tourism to the area generated by the full operation of the park. In the Asan Beach unit, another offsetting factor would be the social and economic benefit derived from removal of structures from a floodplain.



VI. RECOMMENDATIONS

Acquisition Priorities

As discussed in the previous section, the acquisition of private land appears to be the most effective way to provide park resources with the needed level of protection. This conclusion is based primarily on the uses now being made of these lands and the potential uses allowable under existing regulations. In addition to making it possible to re-establish the historic scene, lands need to be acquired for the purpose of developing visitor use facilities. Finally, the purchase of lands appears to be the preference of the majority of property owners. These individuals have indicated that they want to sell their lands to the National Park Service; some of them claiming personal hardship. This last reason is unrelated to the protection of park resources but must be weighed in order to assure that socio-cultural impacts are fully considered. Many of the tracts of private land need to be acquired for more than one of the above stated reasons.

The following is a priority listing, tract by tract, for the acquisition of private lands within the authorized boundaries of the historical park. Criteria for setting priorities were based first on the existence of structures judged to be incompatible with the park's basic management objective of re-establishing the historic scene. Second, on the imminence of the threat of development on lands currently in open space uses. If allowed to develop, these

lands would be subject to uses which would have an adverse effect on the maintenance of the historic scene and which would damage or destroy historic sites or features. Third, on those lands where property owners have indicated that they are anxious to sell to the National Park Service because of a personal hardship situation. Fourth, those areas which are needed for the development of visitor use facilities. Fifth, those areas where property owners have expressed a willingness to sell their lands. Last, those lands located on the invasion beach portions of the park were given more importance than the upland portions because of their greater historic significance.

Landowner concerns, as summarized in the listing which follows, reflect the most recent information made available to the National Park Service and will be subject to updating. Over the past years, property owners have, for a variety of reasons, changed their position from that of an unwilling to a willing seller and vice versa. It is possible, even likely, that others will modify their positions in the future.

<u>PARK UNIT</u>	<u>REGISTERED OWNER</u>	<u>TRACT NO.</u>	<u>LANDOWNER CONCERNS</u>	<u>ACQUISITION RATIONALE</u>	<u>ACREAGE</u>	<u>PRIORITY</u>
Asan Beach	Hosee, Jackie C.	103-10	Owner is anxious to sell his property as soon as possible as he is in a financial hardship situation due to serious illness.	Property contains two buildings being used for commercial purposes. These structures are major intrusion on the historic scene.	.17	1
Asan Beach	Marino, Perfecto	103-01	Owner is anxious to sell his property as soon as possible. Maintains that he has been unable to secure a bank loan to improve his property because it is located within the park. He is unable to find a buyer for the same reason.	Property is part of the Asan invasion beach area where the management objective is to re-establish the nationally significant historical scene. The tract contains a small multi-family residential structure which is a major intrusion on the historic scene.	.14	2
Asan Beach	Haloda Investment Corporation	103-06	Owner is willing to sell property to the Park Service.	The Park Service leases the 2-story building occupying this tract from GSA at a cost in excess of \$85,000 per year. Lease runs through 1987 whereupon it will have to be renewed, likely at a higher cost. Building is needed for park offices, visitor information center, museum storage, and curatorial lab space until a permanent facility can be constructed elsewhere. At that time, the building would be removed to carry out re-establishment of the historic scene.	.26	3

<u>PARK UNIT</u>	<u>REGISTERED OWNER</u>	<u>TRACT NO.</u>	<u>LANDOWNER CONCERNS</u>	<u>ACQUISITION RATIONALE</u>	<u>ACREAGE</u>	<u>PRIORITY</u>
Asan Beach	Surf Club (Tintorri)	102-19	At the present time, the owner wants to sell as soon as possible.	Property necessary to permit beginning the re-establishment of the nationally significant historic scene along Asan invasion beach. Tract contains a large, unoccupied night club which can become a hazard to public safety.	.38	4
Asan Beach	Sauget, Francis	102-13	Owner is willing to sell his property.	Property contains a multi-family residential structure which is a major intrusion on the historic scene of the Asan invasion beach.	.11	5
Asan Beach	Chiarky, John C.	102-20 102-21	Landowner wants to sell his properties.	The two tracts are next to each other; 102-20 is vacant and 102-21 contains a small commercial building and a small residence. The vacant tract does not constitute a visual intrusion on the historic scene, but would have to be acquired at the same time as the tract containing incompatible uses.	.09 .13 .22	6
Asan Beach	Fritzen, Claus A.	102-16	Owner is willing to sell his property when necessary, but is in no hurry.	Property contains a small bar which is a major intrusion on the historic re-establishment of the Asan invasion beach.	.08	7

<u>PARK UNIT</u>	<u>REGISTERED OWNER</u>	<u>TRACT NO.</u>	<u>LANDOWNER CONCERNS</u>	<u>ACQUISITION RATIONALE</u>	<u>ACREAGE</u>	<u>PRIORITY</u>
Asan Beach	Rosario, Mercedes C.	101-07	Owner interested in selling his property.	Property contains a dilapidated wooden warehouse and several beach shelters. The structures are visual intrusions to the historic scene. The property is also needed to permit development of public access to a key interpretive facility at nearby Adelup Point.	1.34	8
Asan Beach	Shelton, Austen J.	102-09	Owners not presently interested in selling their property and have requested to be left alone as long as possible.	Property contains commercial building and a multi-family residence. These structures are incompatible uses and represent major intrusions on the historic scene.	.38	9
Asan Beach	Agbulos, Louis T., et al.	102-15	Owners not presently interested in selling their property and have requested to be left alone as long as possible.	Property contains a commercial building which constitutes an intrusion on the historic scene.	.18	10
Asan Beach	Rapolla, Francisco T.	103-04	Owners not presently interested in selling their property and have requested to be left alone as long as possible.	Property contains two small residences which are intrusions on the historic scene.	.12	11
Asan Beach	Aguon, Pedro N.	103-08	Owners not presently interested in selling and asked to be left alone as long as possible.	Property contains a large building being used by three separate commercial businesses. The building is an adverse use incompatible with the re-establishment of the historic scene.	.40	12

<u>PARK UNIT</u>	<u>REGISTERED OWNER</u>	<u>TRACT NO.</u>	<u>LANDOWNER CONCERNS</u>	<u>ACQUISITION RATIONALE</u>	<u>ACREAGE</u>	<u>PRIORITY</u>
Asan Beach	Taitano, Jesus L. G.	103-07	Owners have stated that they are unwilling to sell their property and want to be left alone.	Property contains a residence which is an intrusion on the historic scene.	.27	13
Agat	Grace, Anthony E.	107-07	Relatives of the owner, who is elderly and infirm, have indicated she is anxious to sell her property as soon as possible.	Property contains three residential structures which are an intrusion on the historic scene of the Agat invasion beach. The property is needed also for the development of a major interpretive area and for access to the Bangi Island historic sites.	3.33	14
Agat	Ichihara, Jose M.	107-06	The property owner is not presently interested in selling.	Property contains a small residential structure which is incompatible with the re-establishment of the historic scene. Property is part of the area needed to develop interpretive sites.	.96	15
Asan Inland	Charqualaf, Jose F.	101-16	Owners have requested that Park Service buy them out so they can proceed with the development of small subdivision elsewhere.	In February 1983, the owner brought in heavy equipment and cleared off the level portions of this undeveloped tract. His stated intent is to subdivide the cleared portion into one-half acre lots. Property contains historic sites, provides visitor vistas, is located in a key area, and	33.25	16

<u>PARK UNIT</u>	<u>REGISTERED OWNER</u>	<u>TRACT NO.</u>	<u>LANDOWNER CONCERNS</u>	<u>ACQUISITION RATIONALE</u>	<u>ACREAGE</u>	<u>PRIORITY</u>
Asan Inland	Cruz, Joaquin F.	101-17	Owners have asked the Park Service to purchase their land so they can proceed with the development of a small subdivision elsewhere.	is extensive in area. Use of heavy equipment likely to have already done damage to historic sites. Subdivision and development will degrade visitor vistas, damage and destroy additional historic sites, as well as create an extensive intrusion on the historic scene. Delays in acquisition will also cause land costs here and on adjacent properties to escalate.	.60	17
Asan Inland	Limtiaco, Santiago A.	101-37	Owners planned to develop high-rise condominiums on the western side of this tract. They maintain that they are paying high mortgage costs and cannot recover their money without sale to the Park Service or development of portions of the property.	Property is located in the middle of the cleared portion of Tract 101-16 and appears to be subject to the same development pressures. Development here would destroy the historic scene.	56.93	18

<u>PARK UNIT</u>	<u>REGISTERED OWNER</u>	<u>TRACT NO.</u>	<u>LANDOWNER CONCERNS</u>	<u>ACQUISITION RATIONALE</u>	<u>ACREAGE</u>	<u>PRIORITY</u>
Asan Inland	Cruz, Miguel C.	101-11	<p>Owners had stated they wanted to build homes on their property, then indicated they would be willing to exchange their property for the adjacent tract (one of the several quitclaimed to the U. S.; this one is outside the park). Subsequently, the owner refused to negotiate for the proposed exchange.</p>	<p>Property is undeveloped and located in the area where major fighting took place following the invasion and contains numerous historic sites and objects. The planned residential development would intrude on the historic scene.</p>	12.11	19
Asan Beach	Santos, Martain M.	102-02	<p>Owner is willing to sell his property to the Park Service.</p>	<p>Property is currently in open space and is proposed for the development of a picnic area near the Asan River. The development of picnicking facilities here will reduce pressures for recreational use of historic and interpretive areas at nearby Asan Point and elsewhere in the unit. Recreational uses in these areas are disruptive to park visitors and intrusive to the historic scene when viewed from vistas.</p>	.21	20
Asan Beach	Perez, Maria	102-01	<p>Owner is willing to sell her property to the Park Service.</p>	<p>Property is adjacent to Tract 102-02 and also needed for the development of the picnic area near the Asan River.</p>	.18	21

<u>PARK UNIT</u>	<u>REGISTERED OWNER</u>	<u>TRACT NO.</u>	<u>LANDOWNER CONCERNS</u>	<u>ACQUISITION RATIONALE</u>	<u>ACREAGE</u>	<u>PRIORITY</u>
Asan Beach	Mendiola, Juan F.	101-43	Owner wants to sell his property as soon as possible.	Property provides a critical view area of the Asan invasion beach and is an ideal location for interpretive signs and access. Property also contains historic sites.	.39	22
Asan Beach	Damian, Maria R.	102-05	Owner appears willing to sell her property.	Property is also part of the area needed to develop the picnic area near the Asan River.	.12	23
Asan Beach	O.I.C. Enterprises	102-07	Owners appear willing to sell their property.	Property is part of the area needed to develop the picnic area near the Asan River and is also part of the area used to celebrate the Asan Village Memorial Mass.	.38	24
Asan Beach	Taijeron, Barbara	102-12	Owner appears willing to sell her property.	Property is needed to permit beginning the re-establishment of the historic scene.	.15	25
Asan Beach	Cruz, Maria	102-17	Owner appears willing to sell her property.	Property is needed to permit beginning the re-establishment of the historic scene.	.06	26
Asan Beach	Guam P.E.C., Inc.	103-02	Owners appear willing to sell their property.	Property is needed to permit beginning the re-establishment of the historic scene.	.12	27

<u>PARK UNIT</u>	<u>REGISTERED OWNER</u>	<u>TRACT NO.</u>	<u>LANDOWNER CONCERNS</u>	<u>ACQUISITION RATIONALE</u>	<u>ACREAGE</u>	<u>PRIORITY</u>
Asan Beach	Salas, Melagro	103-03	Owner appears willing to sell his property.	Property is needed to permit beginning the re-establishment of the historic scene.	.12	28
Asan Beach	Cheng Pacific Corp.	103-11	Owners appear willing to sell their property.	Property is needed to permit beginning the re-establishment of the historic scene.	.17	29
Asan Beach	Rojas, Carlos T.	102-18	Owner is currently not interested in selling his property and has asked to be left alone as long as possible.	Property is needed to permit beginning the re-establishment of the historic scene.	.09	30
Asan Inland	Aflleje, H. O., Dolores, et al.	101-18	Owners appear willing to sell their property.	Property is essential to preservation of the historic scene behind the Asan village. Also, it may possibly be utilized for access to the interior of the unit. Area is likely to contain historic sites.	1.07	31
Asan Inland	Santos, Joaquin S., et ux.	101-22	Owners appear willing to sell their property.	Property is essential to preservation of the historic scene behind the Asan village. Also, it may possibly be utilized for access to the interior of the unit. Area is likely to contain historic sites.	8.18	32

<u>PARK UNIT</u>	<u>REGISTERED OWNER</u>	<u>TRACT NO.</u>	<u>LANDOWNER CONCERNS</u>	<u>ACQUISITION RATIONALE</u>	<u>ACREAGE</u>	<u>PRIORITY</u>
Asan Inland	Limtiaco, Jose T.	101-21	Owners appear willing to sell their property.	Property is essential to preservation of the historic scene behind the Asan village. Also, it may possibly be utilized for access to the interior of the unit. Area is likely to contain historic sites.	1.21	33
Asan Inland	Salas, Teresita L.	101-19	Owner appears willing to sell her property.	Property is essential to preservation of the historic scene behind the Asan village. Also, it may possibly be utilized for access to the interior of the unit. Area is likely to contain historic sites.	.45	34
Asan Inland	Limtiaco, Dolores T.	101-20	Owner appears willing to sell her property.	Property is essential to preservation of the historic scene behind the Asan village. Also, it may possibly be utilized for access to the interior of the unit. Area is likely to contain historic sites.	1.36	35
Asan Inland	San Nicholas, Vincente	101-34	Owner appears willing to sell his property.	Property is an important part of vista from the Asan overlook. Area may contain historic sites.	7.64	36

<u>PARK UNIT</u>	<u>REGISTERED OWNER</u>	<u>TRACT NO.</u>	<u>LANDOWNER CONCERNS</u>	<u>ACQUISITION RATIONALE</u>	<u>ACREAGE</u>	<u>PRIORITY</u>
Asan Inland	San Nicholas, Vincente	101-33	Owner appears willing to sell his property.	Property is an important part of vista from the Asan overlook. Area may contain historic sites.	10.65	37
Asan Inland	Limtiaco, James S. N.	101-26	Owner appears willing to sell his property.	Property is a major part of the Asan Inland battle area as viewed from the Asan overlook. Also, the location of historic sites and a proposed interpretive trail.	12.11	38
Asan Inland	Blas, Joaquina L.	101-25	Owner appears willing to sell her property.	Property is a major part of the Asan Inland battle area as viewed from the Asan overlook. Also, the location of historic sites and a proposed interpretive trail.	11.86	39
Asan Inland	Teriaje, Edward S.	101-14	Owner appears willing to sell his property.	Property is part of the historic battle area and provides a part of the visitor vista.	.74	40
Asan Inland	Rojas, Juan Reyes	101-13	Owner appears willing to sell his property.	Property is part of the historic battle area and provides a part of the visitor vista.	1.65	41
Asan Beach	Espaldon, Ernesto M.	102-08	Owner is presently not interested in selling his property and has asked to be left alone for as long as possible.	Property is portion of undeveloped area to be acquired to permit beginning the re-establishment of the historic scene along the Asan invasion beach.	.05	42

<u>PARK UNIT</u>	<u>REGISTERED OWNER</u>	<u>TRACT NO.</u>	<u>LANDOWNER CONCERNS</u>	<u>ACQUISITION RATIONALE</u>	<u>ACREAGE</u>	<u>PRIORITY</u>
Asan Beach	Maano, Jose M.	102-10	Owner is presently not interested in selling his property and has asked to be left alone for as long as possible.	Property is portion of undeveloped area to be acquired to permit beginning the re-establishment of the historic scene along the Asan invasion beach.	.09	43
Asan Beach	Cruz, Delores S., <u>et al.</u>	103-09	Owner is presently not interested in selling his property and has asked to be left alone for as long as possible.	Property is portion of undeveloped area to be acquired to permit beginning the re-establishment of the historic scene along the Asan invasion beach.	.81	44
Asan Inland	Artero, Maria T., <u>et. al.</u>	101-12	Owner has stated that she does not want to sell and wants to be left alone.	Property is part of the historic battle area and provides a part of the visitor vista.	12.95	45
Agat	Won Pat, Marilyn A.	107-08	Owner appears to be willing to sell her property. (There are apparently uncertainties regarding the legal ownership of this tract.)	This property, Bangi Island, contains significant historic sites which need to be protected and interpreted. Needed also for interpretive access and development in conjunction with Bangi Point.	1.63	46
Asan Inland	Perez, Jerry C.	101-31	Owner currently not interested in selling his property and has asked to be left alone for as long as possible.	This property forms a portion of the historic battle area following the landings. It is visible from proposed visitor view points.	3.01	47

<u>PARK UNIT</u>	<u>REGISTERED OWNER</u>	<u>TRACT NO.</u>	<u>LANDOWNER CONCERNS</u>	<u>ACQUISITION RATIONALE</u>	<u>ACREAGE</u>	<u>PRIORITY</u>
Asan Inland	Rojas, S. S. N., <u>et al.</u>	101-32	Owner currently not interested in selling his property and has asked to be left alone for as long as possible.	This property forms a portion of the historic battle area following the landings. It is visible from proposed visitor view points.	2.27	48
Asan Inland	Limitiaco, Anna C.	101-24	Owner currently not interested in selling her property and has asked to be left alone for as long as possible.	This property forms a portion of the historic battle area following the landings. It is visible from proposed visitor view points.	1.24	49
Asan Inland	Fejerang, Jose S. N.	101-35	Owner currently not interested in selling his property and has asked to be left alone for as long as possible.	This property forms a portion of the historic battle area following the landings. It is visible from proposed visitor view points.	1.73	50
Asan Inland	Cruz, Magdalena A.	101-30	Owner currently not interested in selling her property and has asked to be left alone for as long as possible.	This property forms a portion of the historic battle area following the landings. It is visible from proposed visitor view points.	.77	51
Mt. Tenjo-Mt. Chachao	Calvo, Felix Jr.,	105-01	Owners currently not interested in selling their property.	Property makes up most of the Mt. Tenjo-Mt. Chachao unit and is essential for the development of that area for visitor use. There are a number of historic sites located here.	40.56	52

<u>PARK UNIT</u>	<u>REGISTERED OWNER</u>	<u>TRACT NO.</u>	<u>LANDOWNER CONCERNS</u>	<u>ACQUISITION RATIONALE</u>	<u>ACREAGE</u>	<u>PRIORITY</u>
Mt. Tenjo-Chachao	Jones and Guerrero	105-03	Owners currently not interested in selling their property.	Property makes up a portion of the Mt. Tenjo-Chachao unit and is essential for the development of that area.	2.29	53
Mt. Tenjo-Chachao	Bordallo, Carlos P.	105-02	Owner currently not interested in selling his property.	Property makes up a portion of the Mt. Tenjo-Chachao unit and is essential for the development of that area.	1.38	54
Agat	Unknown	107-10*	Unknown	Property is an islet and necessary for natural resource protection.	4.54	55
Agat	Unknown	106-03*	Unknown	Property is an islet and necessary for natural resource protection.	.73	56
Agat	Unknown	107-09*	Unknown	Property is an islet and necessary for natural resource protection.	.29	57
Asan	Unknown	101-38*	Unknown	Property is necessary to maintain the historic scene.	1.43	58

* Purchase of these tracts is subject to the determination that they are in private ownership.

Methods of Acquisition

Several landowners in the Asan Inland unit of the park have in the past expressed an interest in exchanging their lands for Federal lands outside of the park (e.g., the owners of Tracts 101-11 and 101-37). Tracts 101-10, 104-02, 105-04, and 107-11, totalling about 320 acres, were all conveyed to the Park Service through quitclaim deed by the Government of Guam. As noted, Tract 105-04 is unsurveyed and title is unregistered. They are all located outside of the authorized boundaries of the park. As a first priority, it is recommended that registered title be obtained on these tracts, that boundary surveys be conducted on these tracts which need them, that they be appraised, and then utilized as trading stock for private lands located within the park. The exchange of these tracts for private lands in the park appears to be the most cost-effective method of acquisition.

Following the exhausting of exchange possibilities for the above tracts, it is recommended that the National Park Service pursue the use of Federal surplus property on Guam as possible exchanges for private properties located within the park. Due to the large numbers of Federally owned parcels reported excess on Guam, opportunities exist for working out exchanges on those which proceed to the surplus stage. These kinds of exchanges should be fully explored as an alternative to the use of appropriated funds. As noted, use of these properties as exchanges are subject to the granting of an exception to Executive Order 12348 which requires full reimbursement for these properties.

It is recommended that those tracts of land listed in the previous section, with the below noted exceptions, be acquired by purchase.

Easement:

- Tract 101-24 (Limtiaco, Anna C.)
- Tract 101-30 (Cruz, Magdalena A.)
- Tract 101-31 (Perez, Jerry C.)
- Tract 101-32 (Rojas, S. S. N., et al.)
- Tract 101-35 (Fejerang, Jose S. S. N.)
- Tract 105-01 (Calvo, Felix Jr., et al.) 1/
- Tract 105-02 (Bordallo, Carlos P.) 1/
- Tract 105-03 (Jones and Guerrero) 1/

Donation:

- Tract 101-18 (Public Utility Agency of Guam) 2/
- Tract 101-22 (Public Utility Agency of Guam) 2/
- Tract 102-13 (Guam Housing and Urban Renewal Authority) 2/
- Tract 102-21 (Guam Housing and Urban Renewal Authority) 2/
- Tract 102-20 (Guam Housing and Urban Renewal Authority) 2/
- Tract 105-01 (Calvo, Felix Jr., et al.)
- Tract 105-02 (Bordallo, Carlos P.)
- Tract 105-03 (Jones and Guerrero)

In addition, it is recommended that the National Park Service make an active effort to get the Government of Guam to fulfill their commitment to donate lands and waters under their jurisdiction to the park. Short of obtaining the donation of these lands and waters, attempts should be made to secure a cooperative agreement

with the Government of Guam to allow the Park Service to manage these areas for park purposes. Lastly, it is recommended that the lands and waters in the park under the jurisdiction of the U. S. Navy be transferred to the National Park Service in order to ensure protection of park resources and allow for visitor access.

- 1/ Owners should be approached initially regarding a donation.
- 2/ Contingent upon purchase of these tracts by the above noted agencies and their agreement to donate their interests to the National Park Service.

APPENDIX A

LAND AND WATER OWNERSHIP

WAR IN THE PACIFIC NATIONAL HISTORIC PARK

ASAN BEACH UNIT

	<u>ACREAGE</u>		
	<u>LAND</u>	<u>WATER</u>	<u>TOTAL</u>
INTERIOR	47.39		47.39
U. S. NAVY		162.12	162.12
GOVGUAM	54.72	282.74	337.46
PRIVATE	6.99		6.99
TOTAL	109.10	444.86	553.96

ASAN INLAND UNIT

	<u>ACREAGE</u>		
	<u>LAND</u>	<u>WATER</u>	<u>TOTAL</u>
INTERIOR	365.28		365.28
GOVGUAM	3.82		3.82
PRIVATE	181.78		181.78
UNKNOWN	1.43		1.43
TOTAL	552.31		552.31

AGAT UNIT

	<u>ACREAGE</u>		
	<u>LAND</u>	<u>WATER</u>	<u>TOTAL</u>
INTERIOR	7.04		7.04
U. S. NAVY	11.50	31.04	42.54
GOVGUAM	6.84	525.95	532.79
PRIVATE	4.96		4.96
UNKNOWN	6.52		6.52
TOTAL	36.86	556.99	593.85

PITI GUNS UNIT

	<u>ACREAGE</u>	
	<u>LAND</u>	<u>TOTAL</u>
INTERIOR	23.64	23.64
TOTAL	23.64	23.64

MT. ALIFAN UNIT

	<u>ACREAGE</u>	
	<u>LAND</u>	<u>TOTAL</u>
INTERIOR	157.91	157.91
TOTAL	157.91	157.91

MT. TENJO/MT. CHACHAO UNIT

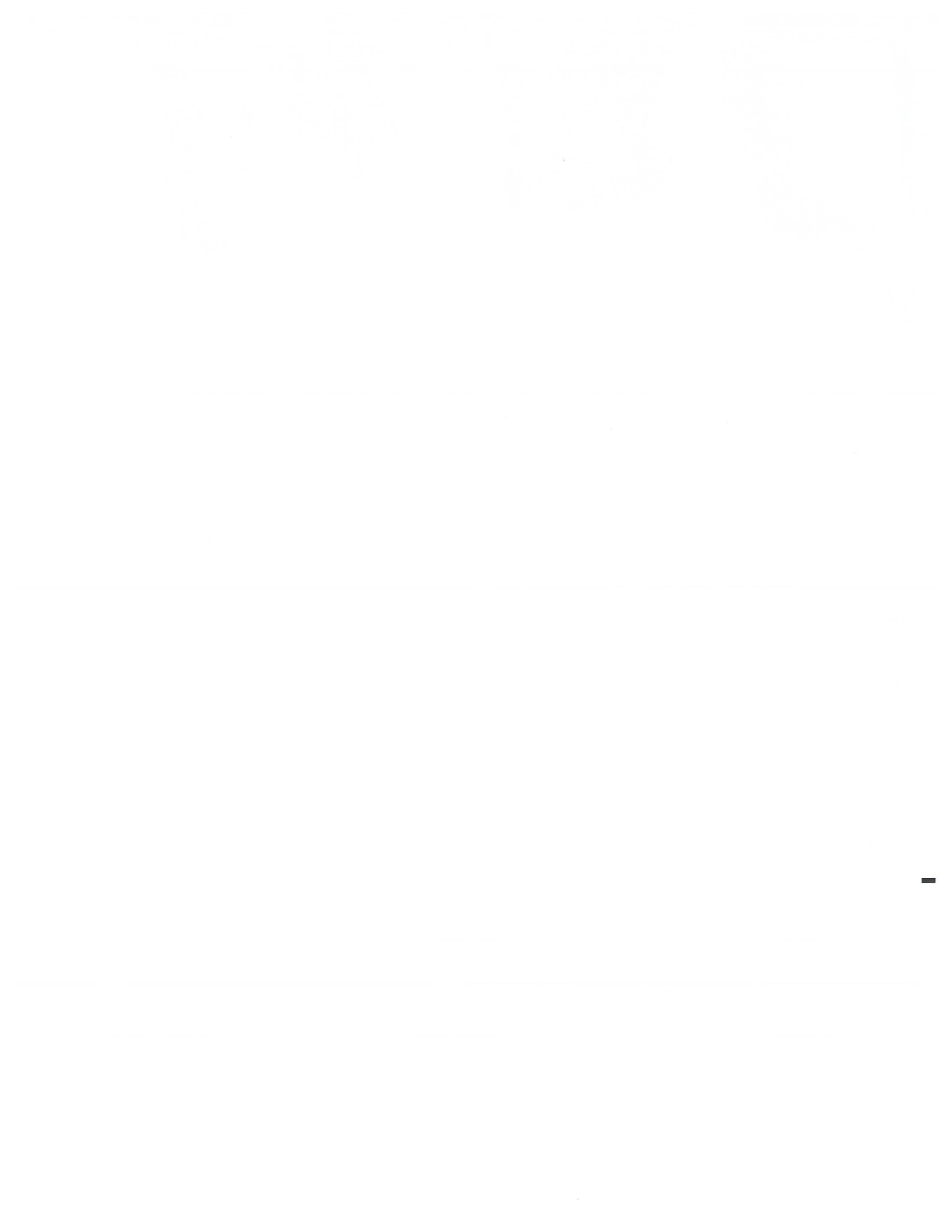
	<u>ACREAGE</u>	
	<u>LAND</u>	<u>TOTAL</u>
PRIVATE	44.23	44.23
TOTAL	44.23	44.23

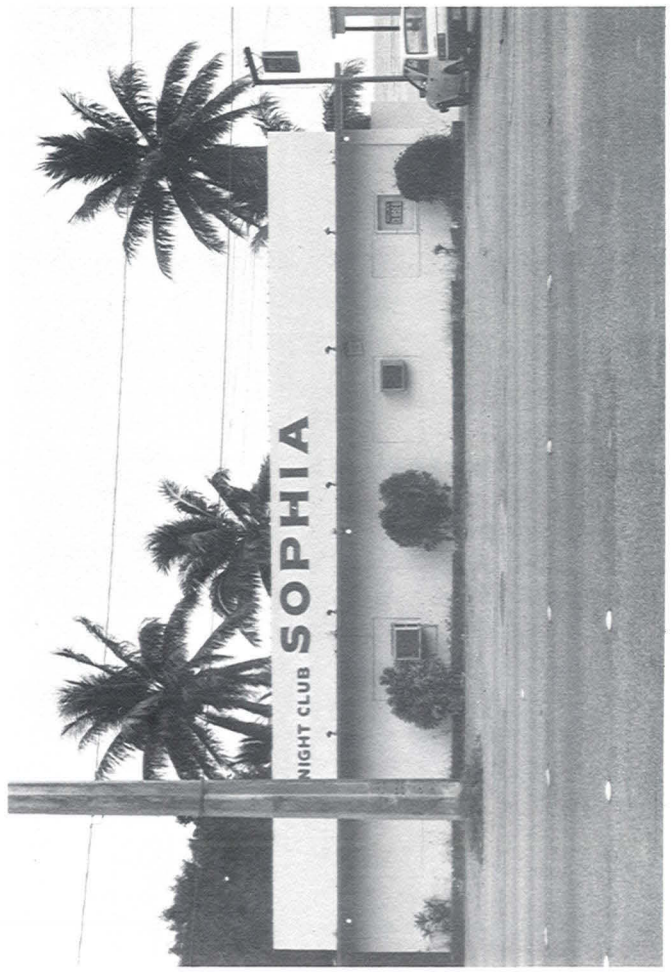
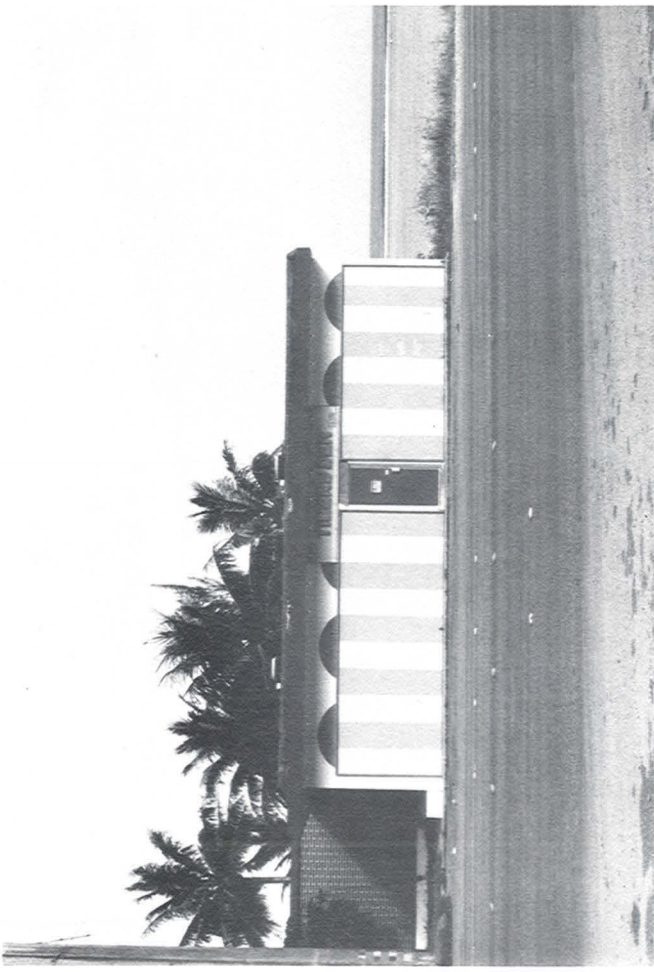
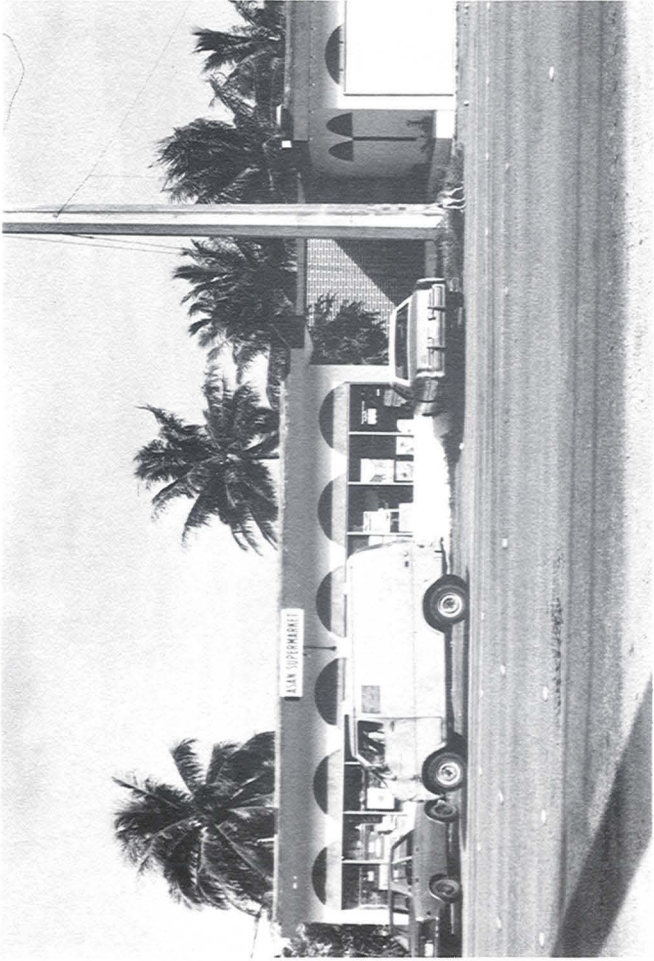
WAR IN THE PACIFIC NATIONAL HISTORICAL PARK

	<u>ACREAGE</u>		
	<u>LAND</u>	<u>WATER</u>	<u>TOTAL</u>
INTERIOR	601.26		601.26
U. S. NAVY	11.50	193.16	204.66
GOVGIAM	65.38	808.69	874.07
PRIVATE	237.96		237.96
UNKNOWN	7.95		7.95
TOTAL	924.05	1,001.85	1,925.91

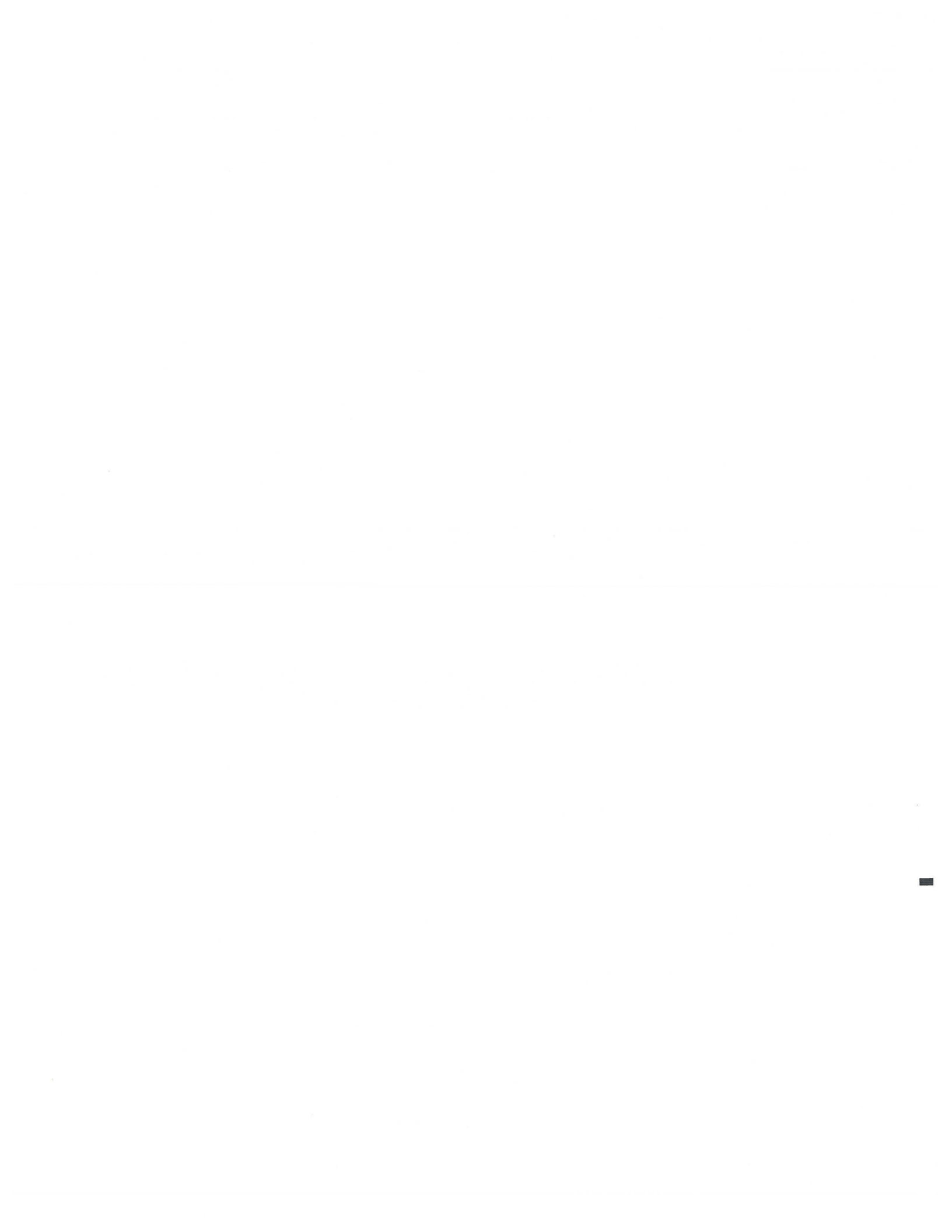


ADVERSE DEVELOPMENT, ASAN BEACH





ADVERSE DEVELOPMENT, ASAN BEACH


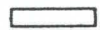


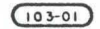




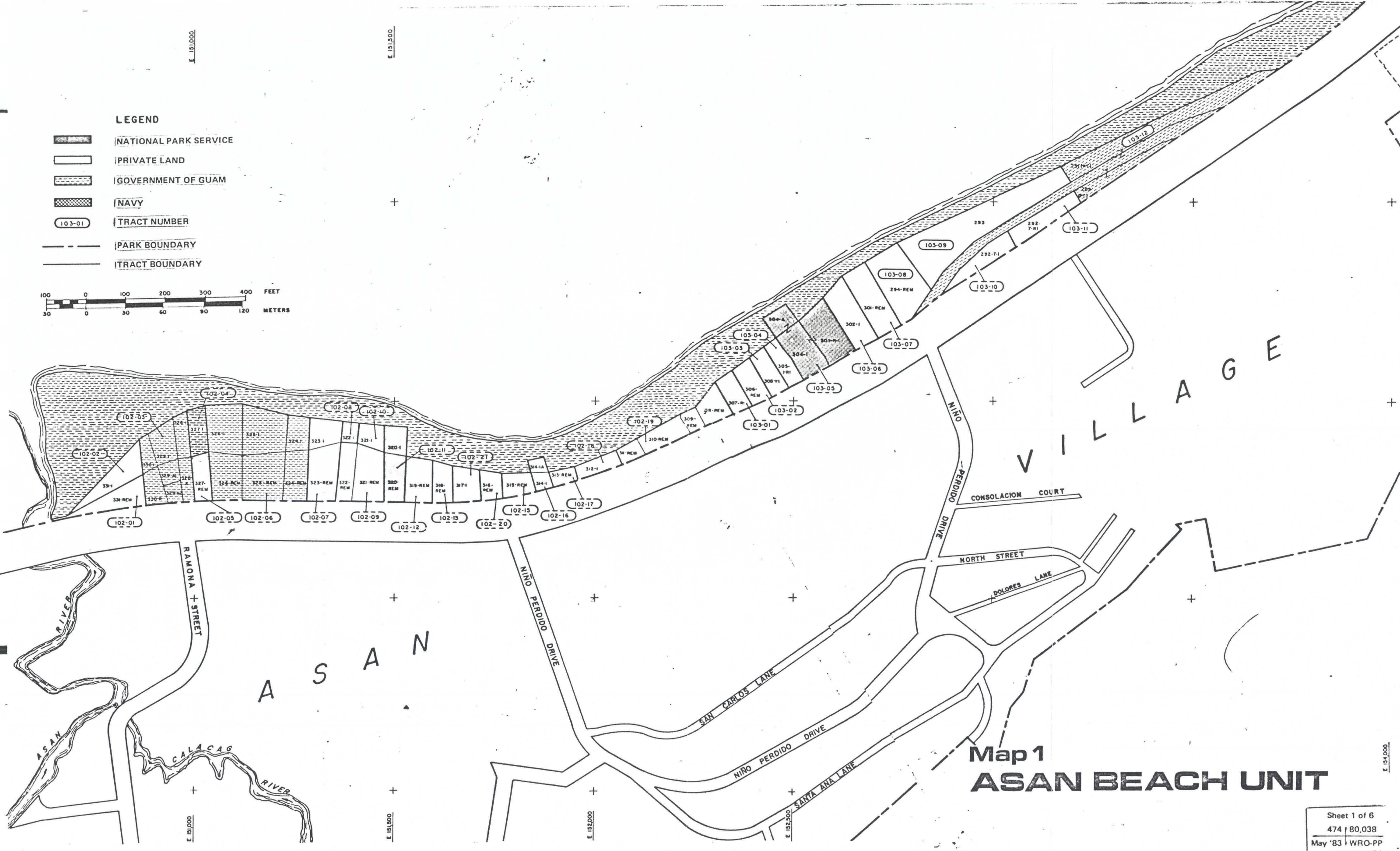
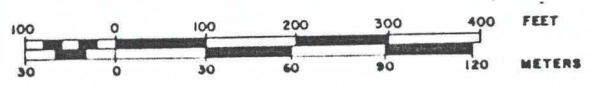
APPENDIX B

E. 151,000

E. 151,500

LEGEND

-  NATIONAL PARK SERVICE
-  PRIVATE LAND
-  GOVERNMENT OF GUAM
-  NAVY
-  TRACT NUMBER
-  PARK BOUNDARY
-  TRACT BOUNDARY



Map 1
ASAN BEACH UNIT

E. 151,000

E. 151,500

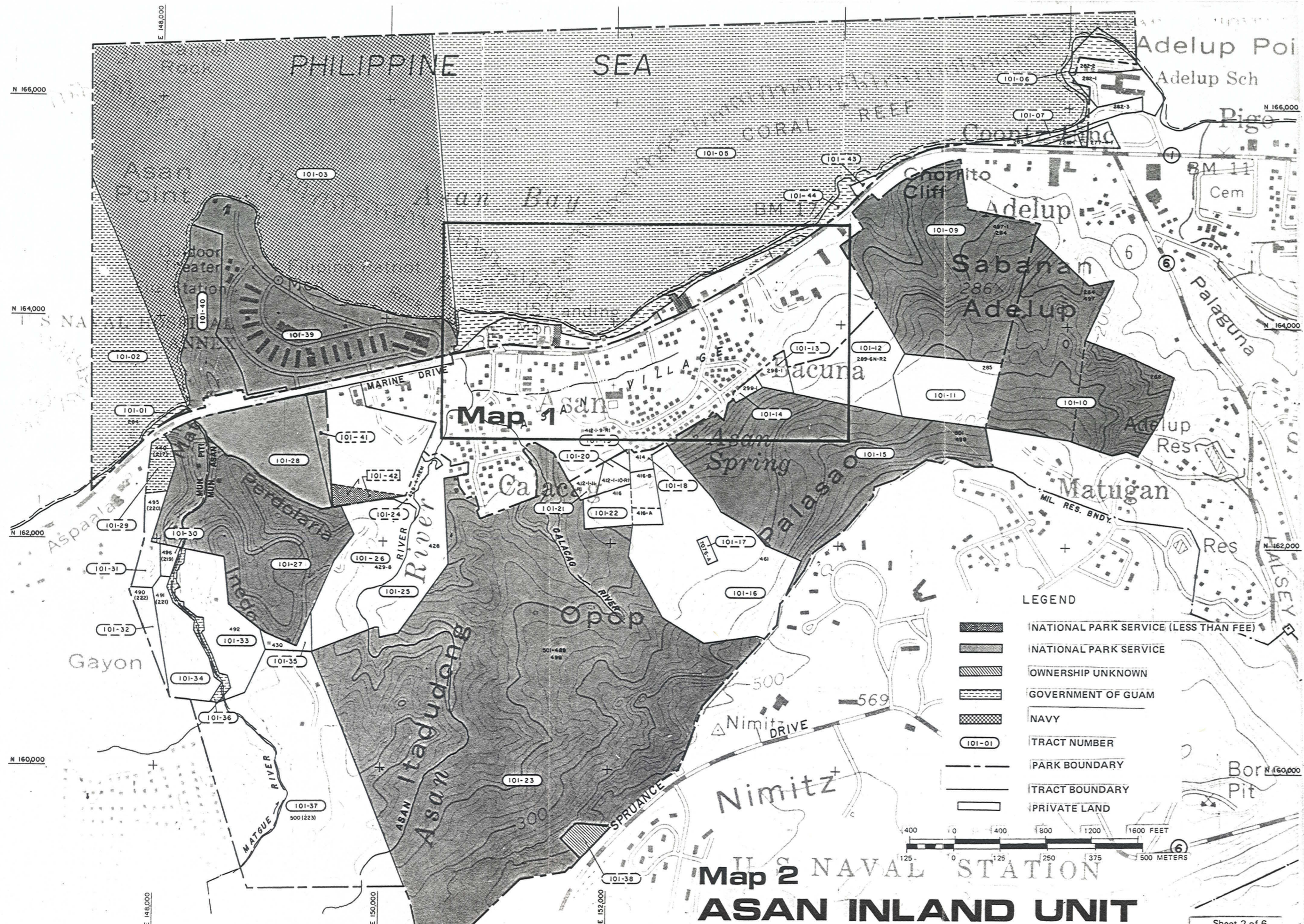
E. 152,000

E. 152,500

E. 154,000

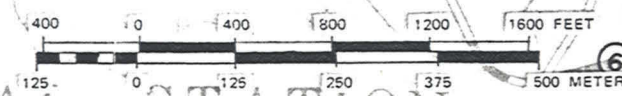
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Map 1








- LEGEND
- NATIONAL PARK SERVICE (LESS THAN FEE)
 - NATIONAL PARK SERVICE
 - OWNERSHIP UNKNOWN
 - GOVERNMENT OF GUAM
 - NAVY
 - TRACT NUMBER
 - PARK BOUNDARY
 - TRACT BOUNDARY
 - PRIVATE LAND

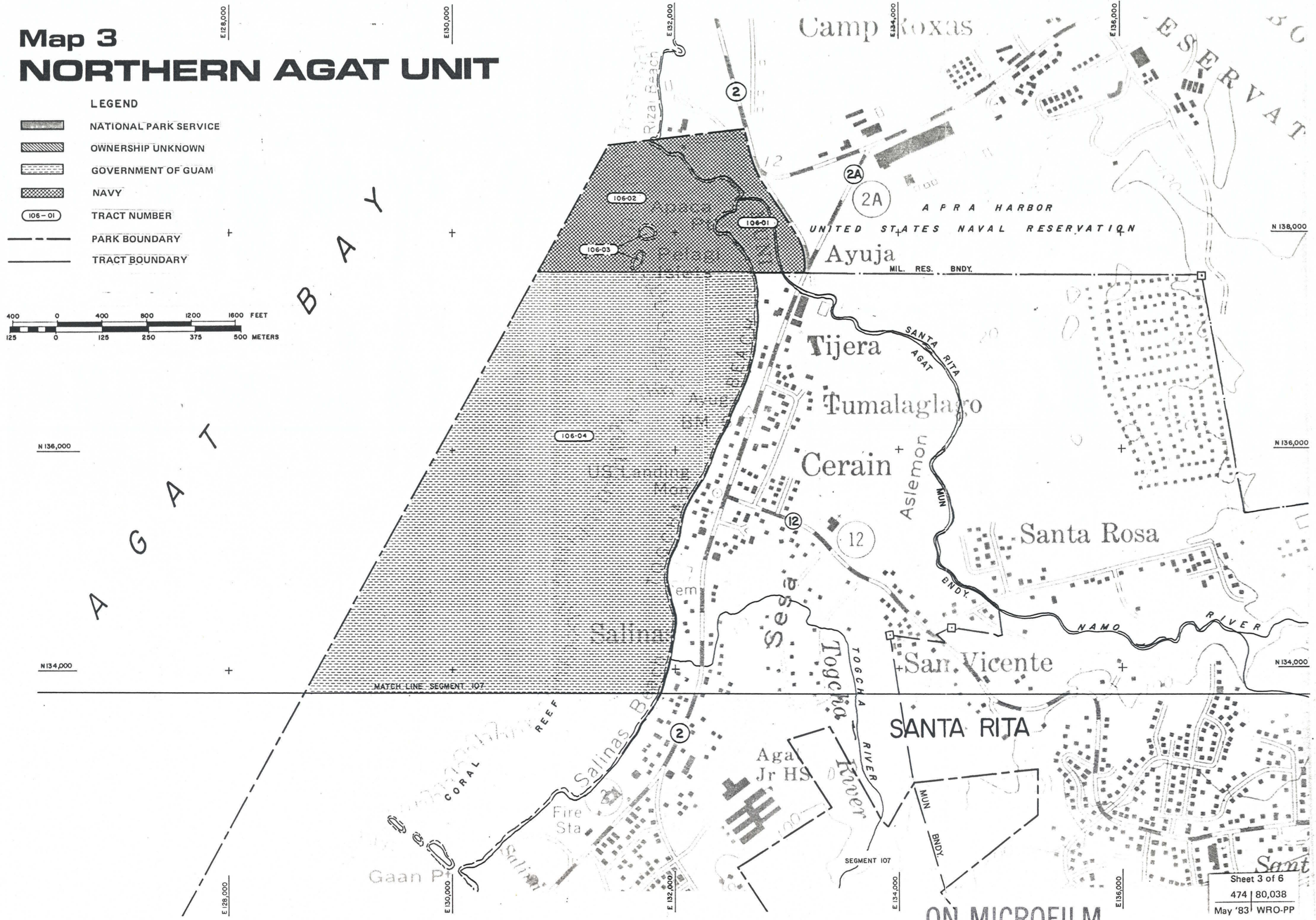
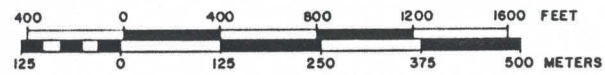


Map 2
ASAN INLAND UNIT

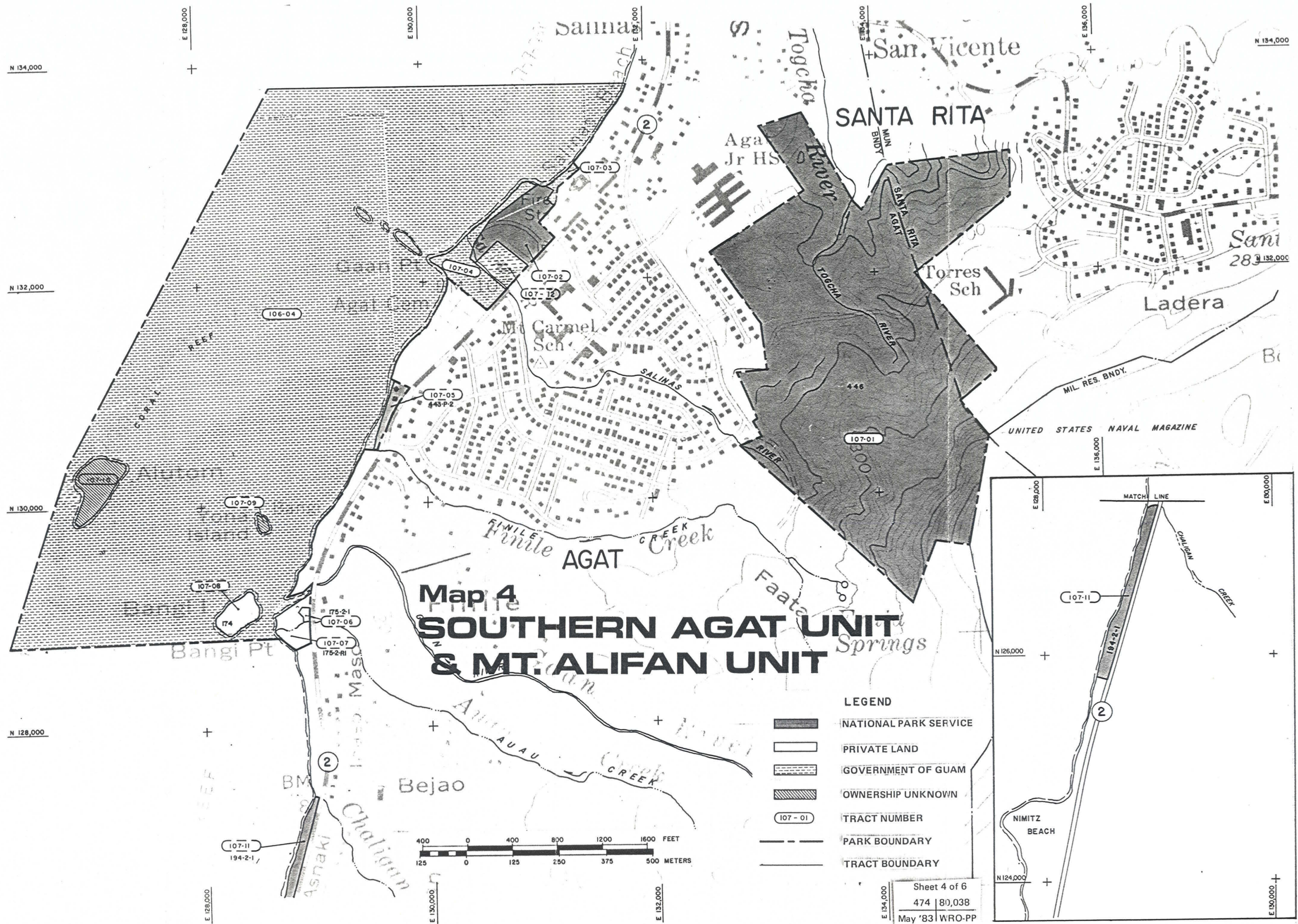
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Map 3 NORTHERN AGAT UNIT

- LEGEND**
-  NATIONAL PARK SERVICE
 -  OWNERSHIP UNKNOWN
 -  GOVERNMENT OF GUAM
 -  NAVY
 -  TRACT NUMBER
 -  PARK BOUNDARY
 -  TRACT BOUNDARY

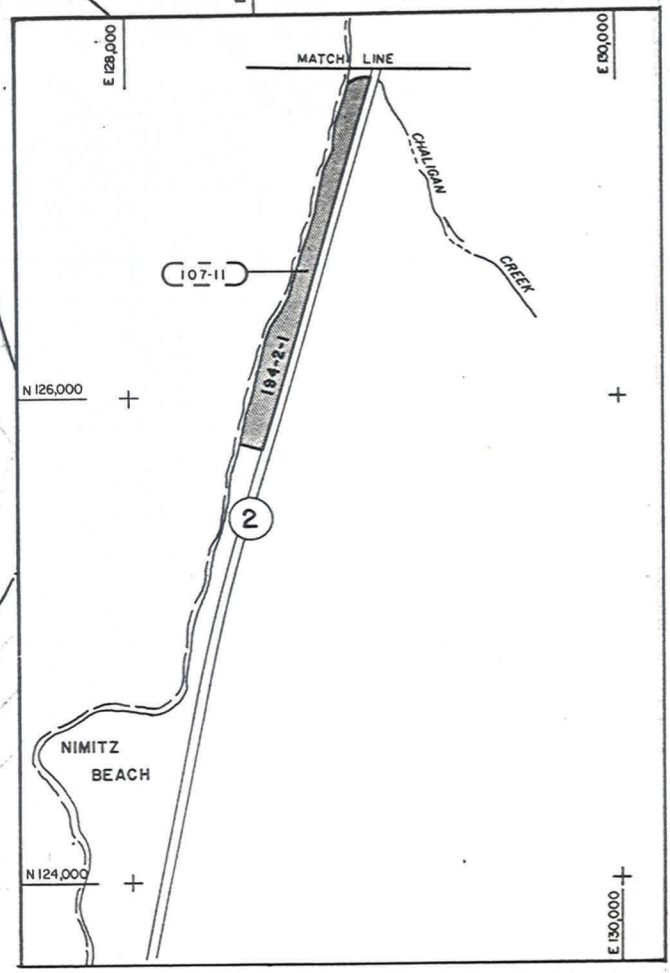


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Map 4
SOUTHERN AGAT UNIT
& MT. ALIFAN UNIT

- LEGEND**
- NATIONAL PARK SERVICE
 - PRIVATE LAND
 - GOVERNMENT OF GUAM
 - OWNERSHIP UNKNOWN
 - TRACT NUMBER
 - PARK BOUNDARY
 - TRACT BOUNDARY

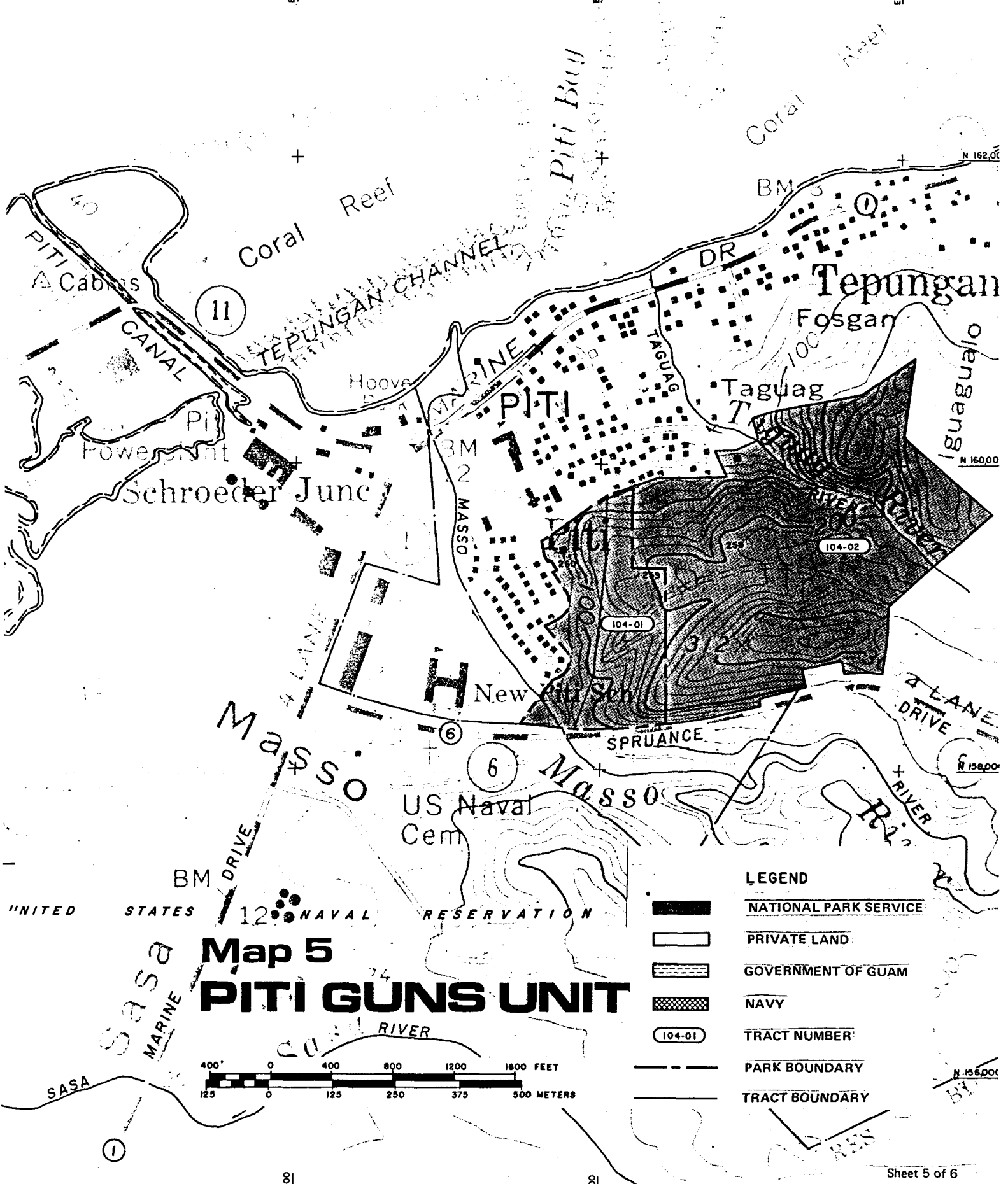


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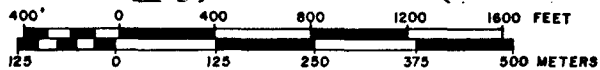
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E 146,000



UNITED STATES NAVAL RESERVATION

Map 5 PITI GUNS UNIT

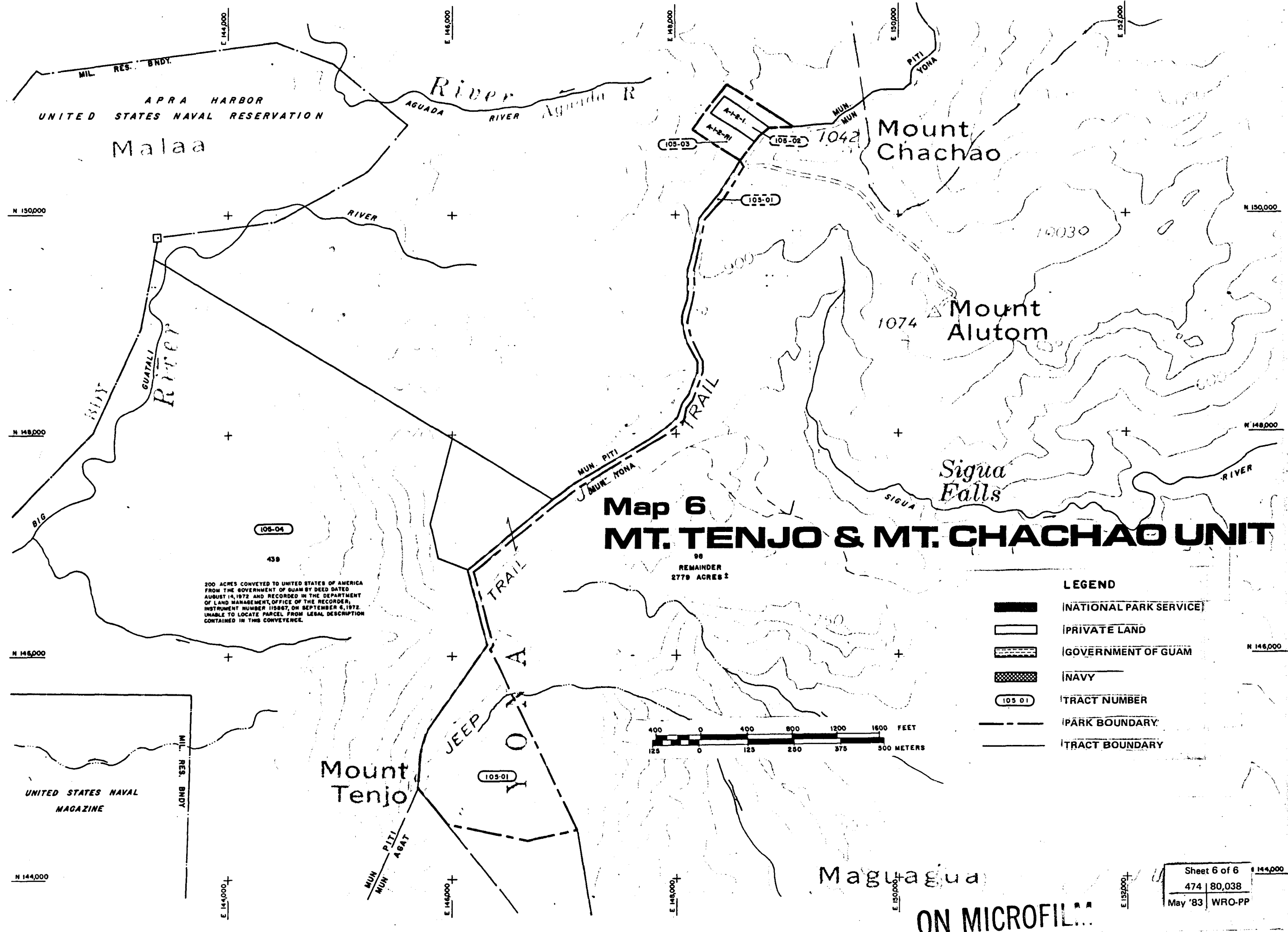


- LEGEND**
- NATIONAL PARK SERVICE
 - PRIVATE LAND
 - GOVERNMENT OF GUAM
 - NAVY
 - TRACT NUMBER
 - PARK BOUNDARY
 - TRACT BOUNDARY

ON MICROFILM

E 142,000

E 144,000



MIL. RES. BNDY.
 APRA HARBOR
 UNITED STATES NAVAL RESERVATION

Mala

River
 AGUADA RIVER
 Aguada R

Mount
 Chachao

Mount
 Alutom

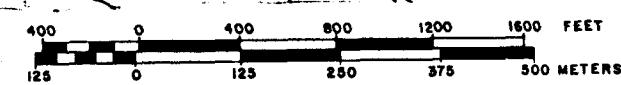
Sigua
 Falls

**Map 6
 MT. TENJO & MT. CHACHAO UNIT**

REMAINDER
 2779 ACRES ±

200 ACRES CONVEYED TO UNITED STATES OF AMERICA
 FROM THE GOVERNMENT OF GUAM BY DEED DATED
 AUGUST 14, 1972 AND RECORDED IN THE DEPARTMENT
 OF LAND MANAGEMENT, OFFICE OF THE RECORDER,
 INSTRUMENT NUMBER 11087, ON SEPTEMBER 4, 1972.
 UNABLE TO LOCATE PARCEL FROM LEGAL DESCRIPTION
 CONTAINED IN THIS CONVEYANCE.

- LEGEND**
- NATIONAL PARK SERVICE
 - PRIVATE LAND
 - GOVERNMENT OF GUAM
 - NAVY
 - TRACT NUMBER
 - PARK BOUNDARY
 - TRACT BOUNDARY



UNITED STATES NAVAL
 MAGAZINE

Mount
 Tenjo

Maguagua

ON MICROFILM

APPENDIX C

ENVIRONMENTAL ASSESSMENT

LAND PROTECTION PLAN

WAR IN THE PACIFIC NATIONAL HISTORICAL PARK

Purpose and Need

Within the authorized boundaries of War in the Pacific National Historical Park, there are about 238 acres of private lands in 53 separate tracts. These tracts range in size from approximately 2,000 square feet to more than 57 acres. Many, in particular those located along Marine Drive in the Asan Beach unit of the park, contain structures which are judged to be incompatible with the stated objectives of the General Management Plan. Other tracts, the largest and located in the Asan Inland unit, though now in open space, are being threatened by development. This development would adversely affect the maintenance of the historic scene and destroy visitor vistas. A Land Protection Plan has been prepared for the park to determine the most effective way to ensure that these lands are either restored to or maintained in uses which are consistent with the management objectives for each of the areas.

The plan has identified and evaluated alternative ways in which the needed additional level of protection can be achieved and makes recommendations on those ways judged to be most effective and efficient. The plan also establishes acquisition priorities tract by tract.

Alternatives Considered

Cooperative Agreement: A binding legal arrangement between the National Park Service (War in the Pacific National Historical Park) and the property owner whereby the ownership of the affected lands remains as is, but use would be subject to restrictions. Agreements have applicability on lands which are presently being used in a manner consistent with management objectives. Lands presently in open space would be made subject to certain conditions, provided the owner is willing to maintain the property in uses judged to be compatible with park management objectives. Agreements serve to protect park resources only for the duration of the agreement and long-term protection is not guaranteed. This alternative appears to have the best potential on those lands in public ownership — either Government of Guam or the United States Navy. Agreements have very limited potential on private lands since landowners have indicated that they are looking to be either bought out or to be able to retain the option of developing their property sometime in the future.

This alternative, if implemented, would have a minimal socio-cultural impact since it would apply only to lands now in open space and/or in public ownership. Open space in the affected areas would be preserved, at least for the short term. There would be no change in the tax base since no private lands would be taken off the tax rolls.

This alternative has no potential for restoring those park lands which are already developed with residential and commercial structures. Due to the lack of interest on the part of landowners, it has very little potential for protecting park lands on undeveloped properties.

Regulation: Territorial laws which were established to place limitations on land uses in certain areas potentially could be used to protect park historic resources. Zoning generally is the most common and widely used regulatory device for restricting land uses. However, it is subject to change due to political, demographic, or economic forces. Moreover, in terms of its appropriateness in protecting resources in the park, zoning has a serious drawback: the existing zoning on private lands permits uses which are incompatible with management objectives.

Other regulatory devices for restricting land uses in certain areas are those dealing with flood hazard, the seashore reserve, and shoreline access. These, too, turn out to have little potential for protecting park resources. The restrictions and guarantees which these regulations contain are either not stringent enough to prevent incompatible uses, or such uses have been "grandfathered" in, or the guarantees do not apply to resource protection.

The needed additional level of protection could not be achieved through the use of regulation. Implementation of this alternative would allow the continuation of uses which would prevent the re-establishment of the historic scene and would allow future uses which would damage and/or destroy historic sites and features. Visitor vistas would be adversely impacted also. Socio-cultural impacts resulting from the implementation of this alternative include a decrease in open space and an increase in the tax base and population of the area. Development of residential subdivisions would disturb and/or destroy the vegetative cover and could

cause soil erosion. There would be an increase in the cost of providing community services to the area brought about by the additional development.

In summary, under the present zoning classification, existing and allowable uses are such that zoning itself offers no potential to provide park lands with the needed additional level of protection.

Easements: Could be utilized on those park lands now in open space as the means to maintain them in that condition, if the owner is agreeable to selling a less-than-fee interest in the property — that is, willing to accept limitations on uses and allow for certain other uses, like visitor access, etc. Implementation of this alternative would help keep areas in open space uses and protect historic sites and features. There would be little change in the tax base. This alternative has limited potential for protecting park lands since most of the lands where it could be utilized are owned by individuals who do not wish to sell a less-than-fee interest in their lands. This alternative, of course, would not be at all effective on lands already developed.

Tax Incentives: The Guam Conservation Act was established to protect agriculture and preserve open space. Its use is contingent upon a landowner's willingness to enter into a contract with the Government of Guam to restrict uses on property in return for lowered assessments. To date, no landowner has indicated any interest in enrolling.

If implemented, this alternative would protect park lands now undeveloped but would provide no long-term guarantees that these lands would remain in open space. There would be a slight decrease in the tax base. This alternative would protect only those lands now in open space and could do nothing toward restoring the historic scene on park lands already developed.

Fee: Involves the acquiring of all interests in park lands now in private ownership. If implemented, these lands would be provided with the needed additional level of protection. Following acquisition, lands presently containing residential and commercial structures could eventually be restored in their historic condition.

Also, full operation of the park would be possible through the implementation of this alternative. This would likely produce an increase in tourism to the area which would tend to have a positive economic effect on local businesses.

Recommended Alternative

The chapter on Protection Alternatives in the Land Protection Plan discusses the impact of the alternatives on property owners in general and on the adjacent community. The Recommendations chapter discusses the impacts of acquisition on individual landowners.

LIST OF LANDOWNERS AND AGENCIES CONSULTED

Leonila O. Ichihara
P. O. Box 2804
Agana, Guam 96910

Fred M. Gabriel
P. O. Box 702
Agana, Guam 96910

Juan F. Mendiola
P. O. Box 1012
Agana, Guam 96910

Jesus L. G. Taitano
P. O. Box 3044
Agana, Guam 96910

Franklin J. Taitano
P. O. Box 3044
Agana, Guam 96910

Joseph D. L. Santos
P. O. Box 622
Agana, Guam 96910

Pedro N. Aguon
P. O. Box 2273
Agana, Guam 96910

H. C. Regalado
P. O. Box 622
Agana, Guam 96910

Mr. and Mrs. V. C. San Nicolas
P. O. Box 10222
Sinajana, Guam

Mrs. I. Grace
P. O. Box 7206
Agat, Guam

Michael P. Flaherty
P. O. Box 1527
Agana, Guam 96910

J. Paxton
P. O. Box 6900
Tamuning, Guam

Tony Artero
P. O. Box 988
Agana, Guam 96910

Austin Shelton
Shelton Music Company
Asan, Guam

Pedro Terlaje
Department of Land Management
Government of Guam

Mike Cruz
Bureau of Planning
Government of Guam

NATIONAL PARK SERVICE

WAR IN THE PACIFIC NATIONAL HISTORICAL PARK

LAND PROTECTION PLAN

FINDING OF NO SIGNIFICANT IMPACT

In accordance with the provisions of the National Environmental Policy Act, the regulations of the Council on Environmental Quality (Federal Register, Volume 43, No. 230, November 29, 1978), and the National Environmental Policy Act Guideline, September 1982 (NPS 12), an environmental assessment has been prepared on the Land Protection Plan for War in the Pacific National Historical Park, Guam.

Early on, the Advisory Council on Historic Preservation and the Territorial Historic Preservation Officer were notified of the intent and purpose of the Plan and asked to participate in its development. Neither of these agencies opted to comment. In April 1983, a public meeting was held on Guam to ascertain the views and concerns of property owners, the Government of Guam, and interested citizens on the then proposed Plan. Written comments on the proposed Plan were submitted by the Governor of Guam. These appear in the Plan as Appendix D.

Following notification of availability in the local press, a 30-day public review period was held during November and December 1983 on the completed draft Plan. Copies of the draft were sent to agencies of the Government of Guam and made available to property owners and others at park headquarters. No comments were received during the public review period. Consequently, no changes were incorporated into the final Plan.

The Land Protection Plan recommends that the privately owned lands located within the boundaries of War in the Pacific National Historical Park be acquired. Acquisition is necessary due to the presence of incompatible uses, the imminence of development threats and the expressed concerns of the great majority of property owners. Due to the above, most of these lands will be purchased in full fee, although several tracts have been identified for purchase of easements or by donation or exchange.

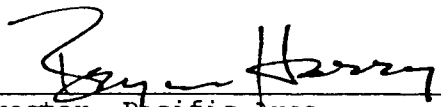
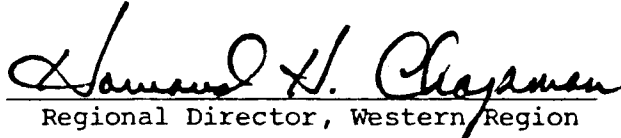
As a result of the public review and lack of comments received, it is concluded that no substantial controversy exists and that the Plan does not have the potential to cause significant impacts on the quality of the human environment. Therefore, based on this conclusion, an environmental impact statement will not be prepared and no additional environmental compliance steps are necessary prior to implementation of this Plan.

The environmental assessment is on file at the following offices:

Superintendent, War in the Pacific National Historical Park, Guam

National Park Service, Pacific Area Office, Honolulu, Hawaii

National Park Service, Western Regional Office, San Francisco, California

Recommended:	<u>/s/ RAFAEL J. M. REYES</u> Superintendent	<u>2/13/84</u> Date
Concurred:	<u></u> Director, Pacific Area	<u>2/13/84</u> Date
Approved:	<u></u> Regional Director, Western Region	<u>4/17/84</u> Date

APPENDIX D



TERRITORY OF GUAM
OFFICE OF THE GOVERNOR
AGAÑA, GUAM 96910
U.S.A.

RICARDO J. BORDALLO
Governor

MAY 06 1983

Mr. Ralph Reyes
Superintendent
War in the Pacific
National Historical Park
Post Office Box FA
Agana, Guam 96910

Dear Mr. Reyes:

I wish to express the concern of the Government of Guam regarding a proposed Land Protection Plan for the War in the Pacific National Historical Park.

The July 1981 Land Acquisition Plan indicates Congressional intent to acquire fee-simple title to all lands and waters within the Park's boundary. Since the Park was established, only \$576,555 was appropriated from an authorization of \$16 million for land acquisition. As evident at the public meeting held on April 14, 1983, the lack of action has resulted in increasing frustration by residents and a suspicion of deception by Federal officials.

This is especially compounded by a proposed Land Protection Plan that could include proposed less than fee alternatives of cooperative agreements, zoning, regulations, and easements. These alternatives are simply not acceptable to the people of Guam. However, where necessary, the option of life tenancy should be implemented.

I would also suggest that your office implement the obvious solution that would save costs and also acquire private lands for the Park. This is to exchange surplus Federal lands either those owned by the Park or land held for disposal by the General Services Administration, for the private lands required by the Park. However, such an exchange should be compatible with the master planning goals of the Government of Guam.

I would also suggest that the land acquisition efforts of the Park address securing title to land previously transferred from the Government of Guam.

In conclusion, I trust that prompt action will be taken on these matters. Please coordinate your contacts with the Government of Guam through my Special Assistant for Federal Programs, Mr. David T. Lotz.

Sincerely yours,


RICARDO J. BORDALLO
Governor