

**Supplemental Environmental Impact Statement/  
Overseas Environmental Impact Statement  
Mariana Islands Training and Testing**

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## **APPENDIX C AGENCY CORRESPONDENCE**

This appendix contains correspondence between the Navy and relevant government agencies with respect to cooperating agency status and the National Historic Preservation Act.

## C.1 COOPERATING AGENCY STATUS

### C.1.1 NATIONAL MARINE FISHERIES SERVICE



DEPARTMENT OF THE NAVY  
OFFICE OF THE CHIEF OF NAVAL OPERATIONS  
2000 NAVY PENTAGON  
WASHINGTON DC 20350-2000

5090  
Ser N45/17U132422  
September 27, 2017

Ms. Donna S. Wieting  
Director, Office of Protected Resources  
National Marine Fisheries Service  
1315 East West Highway  
Silver Spring, MD 20910

SUBJECT: MARIANA ISLANDS TRAINING AND TESTING SUPPLEMENTAL  
ENVIRONMENTAL IMPACT STATEMENT/OVERSEAS ENVIRONMENTAL  
IMPACT STATEMENT - COOPERATING AGENCY REQUEST

Dear Ms. Wieting:

In accordance with the National Environmental Policy Act (NEPA) of 1969 and Executive Order (EO) 12114, the United States (U.S.) Department of the Navy (Navy) is preparing a Supplemental Environmental Impact Statement/Overseas Environmental Impact Statement (EIS/OEIS) to assess the potential environmental impacts associated with the continuation of military readiness activities, which consist of training as well as research, development, testing, and evaluation (RDT&E, hereinafter referred to as "testing") activities that include the use of active sonar and explosives in the Mariana Islands Training and Testing (MITT) Study Area. The proposed training and testing activities within the MITT Study Area supports the Navy's Title 10 of the U.S. Code requirements to achieve and maintain military readiness by ensuring the Navy can provide trained and equipped combat-ready forces capable of winning wars, deterring aggression, and maintaining freedom of the seas.

This MITT Supplemental EIS/OEIS represents the third phase (Phase III) of ongoing NEPA and EO 12114 compliance for continuation of at-sea training and testing. It will evaluate the conduct of military readiness activities from 2020 into the reasonably foreseeable future and accommodate evolving mission requirements associated with force structure changes, including those resulting from the development, testing, and ultimate introduction of new platforms (vessels, aircraft, and weapon systems) into the Fleet.

The Phase III MITT Study Area remains consistent with the area studied in the Phase II MITT EIS/OEIS completed in 2015 and consists of the established at sea ranges, operating areas, and special use airspace in the region of the Mariana Islands that are part of the Mariana Islands Range Complex (MIRC) and its surrounding seas, and includes a transit corridor. The transit corridor is outside the geographic boundaries of the MIRC and is a direct route across the high seas for Navy ships in transit between the MIRC and the Hawaii Range Complex. The Proposed Action also includes pierside sonar maintenance and testing alongside Navy piers located in Inner Apra Harbor.

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September 27, 2017

The MITT Phase III Supplemental EIS/OEIS is intended to serve as a basis for the renewal of current regulatory permits and authorizations and the analysis of emerging and future force structure changes and training and testing requirements. An important aspect of the MITT Supplemental EIS/OEIS will be the analysis of the potential effects to marine species protected under the Marine Mammal Protection Act (MMPA) and the Endangered Species Act (ESA) and habitats protected under the Magnuson-Stevens Fishery Conservation and Management Act. The existing MMPA Final Rule and Letters of Authorization for Phase II MITT activities will expire in August 2020.

To complete the analysis required by the permitting and consultation process pursuant to MMPA and ESA in an efficient and effective way, the Navy believes that participation by the National Marine Fisheries Service (NMFS) is needed. Therefore, in accordance with the Council on Environmental Quality's (CEQ) regulations implementing NEPA (specifically 40 CFR Part 1501) and CEQ's 2002 guidance on cooperating agencies, the Navy requests that the NMFS serve as a cooperating agency for the development of the Phase III MITT Supplemental EIS/OEIS.

Consistent with 40 CFR 1501.6, the Navy is requesting NMFS' participation as early in the planning process as possible. As the lead agency, the Navy will:

- a. Gather all necessary background information and prepare the Phase III Supplemental EIS/OEIS and all necessary permit applications associated with acoustic issues within the Study Area;
- b. Work with NMFS personnel to determine the method of estimating potential effects to protected marine species, including threatened and endangered species;
- c. Determine the scope of the Phase III MITT Supplemental EIS/OEIS, including the alternatives evaluated;
- d. Circulate the NEPA document to the general public and any other interested parties;
- e. Schedule and supervise meetings held in support of the NEPA process and compile comments received; and
- f. Maintain an administrative record and respond to Freedom of Information Act (FOIA) requests relating to the Phase III Supplemental EIS/OEIS.

Navy respectfully requests that NMFS, in its role as a cooperating agency, provide the following support:

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September 27, 2017

- a. Participate in the NEPA process, to include public participation efforts pertaining to the Phase III Supplemental EIS/OEIS, and fund such support through its own sources to the maximum extent possible;
- b. Provide timely comments on working drafts of the Phase III Supplemental EIS/OEIS in accordance with the approved project schedule and commenting protocols, and provide minutes of any agency information meeting that have been adjudicated within the agency;
- c. Adhere to the overall schedule as set forth by the Navy in coordination with NMFS;
- d. Respond to Navy requests for information, in particular, those related to review of the acoustic effects analysis and evaluation of the effectiveness of protection and mitigation measures;
- e. Coordinate, to the maximum extent practicable, any public comment periods that are necessary in the MMPA permitting process with the Navy's NEPA public comment periods;
- f. Make available staff support at Navy's request to enhance the Navy's interdisciplinary capability;
- g. Participate, as necessary, in meetings hosted by the Navy for discussion of issues related to the Phase III Supplemental EIS/OEIS;
- h. Utilize NMFS resources, including funding where appropriate, in support of executing its cooperating agency responsibilities.;
- i. Prepare any NMFS-specific documents required to support the NMFS decision-making process;
- j. Maintain an administrative record and respond to FOIA requests relating to the Phase III Supplemental EIS/OEIS; and
- k. Provide a formal, written response to this request.

The Navy views this agreement as important to the successful completion of the environmental planning process for the Phase III MITT Supplemental EIS/OEIS. It is the Navy's goal to complete the analysis as expeditiously as possible, while using the best scientific information available. NMFS assistance is invaluable to this endeavor.

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Ser N45/17U132422  
September 27, 2017

We appreciate your consideration of our request and look forward to your response. The point of contact for this action is Ms. Dawn Schroeder, (703) 695-5219, email: dawn.schroeder@navy.mil.

Sincerely,



C. A. LAHTI  
Director, Energy and Environmental  
Readiness Division

Copy to:  
ASN (EI&E)  
DASN (E)  
OAGC (EI&E)  
OPNAV (N9I, N83)  
Commander, U.S. Fleet Forces Command (N46)  
Commander, U.S. Pacific Fleet (N465)  
Commander, Navy Installations Command (N45)  
Commander, Naval Sea Systems Command  
Commander, Naval Air Systems Command  
Commander, Joint Region Marianas  
Commander, Naval Facilities Engineering Command, (N45)



UNITED STATES DEPARTMENT OF COMMERCE  
National Oceanic and Atmospheric Administration  
NATIONAL MARINE FISHERIES SERVICE  
Silver Spring, MD 20910

Captain C.A. Lahti  
Director, Energy and  
Environmental and Readiness Division  
Department of the Navy  
2000 Navy Pentagon  
Washington, DC 20350-2000

Dear Captain Lahti:

Thank you for your letter requesting the National Marine Fisheries Service (NOAA Fisheries) be a cooperating agency in the preparation of a Supplemental Environmental Impact Statement/Overseas Environmental Impact Statement (EIS/OEIS) to evaluate potential environmental effects in the Department of the Navy's (Navy) Mariana Islands Training and Testing (MITT) Study Area. Activities conducted in the MITT Study Area will achieve and maintain military readiness and include current, emerging, and future training activities and research, development, test and evaluation events (Phase III). We support the Navy's decision to prepare a Supplemental EIS/OEIS on this activity and agree to be a cooperating agency, due, in part, to our responsibilities under section 101(a)(5)(A) of the Marine Mammal Protection Act and under section 7 of the Endangered Species Act. NOAA Fisheries will make every effort to support the Navy in the development of a Supplemental EIS/OEIS, including:

- Participating, as necessary, in meetings hosted by the Navy for the discussion of issues related to the Phase III Supplemental EIS/OEIS;
- Providing timely comments on working drafts of the Phase III Supplemental EIS/OEIS in accordance with the approved project schedule and commenting protocols;
- Responding to Navy requests for information, in particular, those related to review of the acoustic effects analysis and evaluation of the effectiveness of protection and mitigation measures; and
- Adhering to the overall schedule as set forth by the Navy in coordination with NMFS.

If you need any additional information, please contact Jolie Harrison at (301) 427-8420.

Sincerely,

Samuel D. Rauch III  
Deputy Assistant Administrator for  
Regulatory Programs  
National Marine Fisheries Service

cc: Michael Tosatto, NMFS PIRO  
Vicki Wedell, NMFS HQ NMS  
Steve Leathery, NMFS HQ NEPA  
Dawn Schroeder, Navy



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## C.2 NATIONAL HISTORIC PRESERVATION ACT

### C.2.1 GUAM



DEPARTMENT OF THE NAVY  
COMMANDER  
UNITED STATES PACIFIC FLEET  
250 MAKALAPA DRIVE  
PEARL HARBOR, HAWAII 96880-3131

IN REPLY REFER TO:  
5090  
Ser N465/0005  
January 4, 2019

Ms. Lynda Bordallo Aguon  
State Historic Preservation Officer  
Department of Parks & Recreation  
490 Chalan Palasyo  
Agaña Heights, Guam 96910

Dear Ms. Aguon:

SUBJECT: NATIONAL HISTORIC PRESERVATION ACT, SECTION 106  
CONSULTATION FOR PROPOSED MARIANA ISLANDS TRAINING AND  
TESTING ACTIVITIES

In accordance with Section 106 of the National Historic Preservation Act (NHPA) of 1966, as amended, the United States Department of the Navy (Navy) is initiating consultation on the Guam portion of the proposed continuation of Mariana Islands Training and Testing (MITT) activities. A supplemental analysis of the activities included in the 2015 MITT Environmental Impact Statement/Overseas Environmental Impact Statement (EIS/OEIS) is being prepared to support ongoing and future activities conducted at sea beyond 2020. The proposed continuation of MITT activities is generally consistent with those analyzed in the 2015 Final EIS/OEIS and are representative of training and testing the military has conducted for decades. However, reanalysis of the activities is being completed using new information available after the release of the 2015 Final EIS/OEIS. In part, this supplemental document will support the renewal of regulatory permits and authorizations under the Marine Mammal Protection Act and Endangered Species Act for training and testing activities. As defined by 36 CFR §800.16(y), the Navy has determined that the proposed activities represent an undertaking requiring consultation.

The current 2009 Programmatic Agreement (PA) among the Department of Defense Representative Guam, Commonwealth of the Northern Marianas Islands (CNMI), Federated States of Micronesia and Republic of Palau, Commander Joint Region Marianas (JRM), Commander 36<sup>th</sup> Wing Andersen Air Force Base, the Guam Historic Preservation Officer, and the CNMI Preservation Officer expires on December 11, 2019. The PA as written provides NHPA compliance for military activities associated with the Mariana Islands Range Complex (MIRC), including at-sea training and testing, as well as a myriad of land-based activities, most of which are associated with JRM installation actions. The Navy's undertaking for this consultation will be limited to the activities described in our 2015 MITT EIS/OEIS and as proposed in our MITT supplemental EIS/OEIS. The JRM installation-type activities are independent of the MITT and thus, will not be covered under this consultation.

5090  
Ser N465/0005  
January 4, 2019

The Navy will hold its initial Section 106 consultation meetings from January 22-25, 2019. We welcome your attendance and participation. Ms. Carly Antone of the Naval Facilities Engineering Command, Pacific's Environmental Business Line will be my point of contact for coordination of location, dates, and times. Ms. Antone may be reached by telephone at (808) 472-1464 or by email at [carly.antone@navy.mil](mailto:carly.antone@navy.mil).

Sincerely,



Timothy C. Liberatore  
Captain, Civil Engineer Corps, U.S. Navy  
By direction of the Commander

Copy to:  
Katharine Keir, Advisory Council on Historic Preservation  
John Salas, Commander, Joint Region Marianas



**DEPARTMENT OF THE NAVY**

COMMANDER  
UNITED STATES PACIFIC FLEET  
250 MAKALAPA DRIVE  
PEARL HARBOR, HAWAII 96860-3131

IN REPLY REFER TO:  
5090  
Ser N465/0025  
January 10, 2019

Dear Sir/Madam:

SUBJECT: NATIONAL HISTORIC PRESERVATION ACT, SECTION 106 CONSULTATION MEETING FOR  
PROPOSED CONTINUATION OF MARIANA ISLANDS TRAINING AND TESTING ACTIVITIES

In accordance with Section 106 of the National Historic Preservation Act (NHPA) of 1966, as amended, the United States Department of the Navy (Navy) is initiating consultation on the Guam portion of the proposed continuation of Mariana Islands Training and Testing (MITT) activities. A supplemental analysis of the activities included in the 2015 MITT Environmental Impact Statement/Overseas Environmental Impact Statement (EIS/OEIS) is being prepared to support ongoing and future activities conducted at sea and on beyond 2020. The proposed continuation of MITT activities is generally consistent with those analyzed in the 2015 Final EIS/OEIS and are representative of training and testing the military has conducted for decades. However, reanalysis of the activities is being completed using new information available after the release of the 2015 Final EIS/OEIS. In part, this supplemental document will support the renewal of regulatory permits and authorizations under the Marine Mammal Protection Act and Endangered Species Act for training and testing activities. As defined by 36 CFR §800.16(y), the Navy has determined that the proposed activities represent an undertaking requiring consultation.

The current 2009 Programmatic Agreement (PA) among the Department of Defense Representative Guam, Commonwealth of the Northern Marianas Islands (CNMI), Federated States of Micronesia and Republic of Palau, Commander Joint Region Marianas (JRM), Commander 36<sup>th</sup> Wing Andersen Air Force Base, the Guam Historic Preservation Officer, and the CNMI Preservation Officer expires on December 11, 2019. The PA as written provides NHPA compliance for military activities associated with the Mariana Islands Range Complex (MIRC), including at-sea training and testing, as well as a myriad of land-based activities, most of which are associated with JRM installation actions. The Navy's undertaking for this consultation will be limited to the activities described in our 2015 MITT EIS/OEIS and as proposed in our MITT supplemental EIS/OEIS. The JRM installation-type activities are independent of the MITT and thus, will not be covered under this consultation.

The current list of consulting parties for this undertaking includes the State Historic Preservation Officer, National Park Service, and other interested parties identified through previous consultations. We invite you to attend and participate in the Navy's initial Section 106 consultation meetings in Guam being held on January 22 and 23, 2019. Should you be aware of an interested entity/individual not included in the "Copy to" section of this letter, please forward the invitation accordingly.

On January 22, we will meet at the Daniel L. Perez Elementary School cafeteria from 3:30-6:00 pm. On January 23, we will meet at the Guam Museum multi-purpose room, from 4:00-7:00 pm.

The meetings will focus on the following:

- 1) Explanation of the NHPA Section 106 process;
- 2) Details about the Undertaking;
- 3) Development of the Area of Potential Effects;
- 4) Identification of Historic Properties
- 5) Potential effects of the Undertaking on Historic Properties

5090  
Ser N465/0025  
January 10, 2019

To attend, please respond no later than January 18, 2019 to give us an opportunity to ensure accommodations for all attendees at the meeting venues. Ms. Carly Antone of the Naval Facilities Engineering Command, Pacific's Environmental Business Line will be my point of contact for coordination. Ms. Antone may be reached by telephone at (808) 472-1464 or by email at carly.antone@navy.mil.

Sincerely,



Timothy C. Liberatore  
Captain, Civil Engineer Corps, U.S. Navy  
By direction of the Commander

Copy to:

Julian Aguon  
Stanley Austin, Pacific West Region, National Park Service  
Michael Lujan Bevacqua, Famomsaiyan  
Chamorro Land Trust Commission  
Hope A. Cristobal, Guahan Coalition for Peace and Justice  
Jose Ulloa Garrido, Commission on Decolonization  
Galaide Group  
Guam Ancestral Lands Commission  
Victoria-Lola Leon Guerrero, Reclaim Guahan Collective  
Leonard Iriarte, I Fanlalai'an Oral History Project  
Danny Jackson, Nasion Chamoru  
Ramona Jones, Jones and Guerrero, Inc.  
Katharine Kerr, Advisory Council on Historic Preservation

Dave Lotz, Guam Boonie Stompers  
Rufo Lujan, Organization of People for Indigenous Rights  
Mayor's Council of Guam  
Lisalinda Natividad  
Prutehi Litekyan - Save Ritidian  
Joseph Quinata, Guam Preservation Trust  
Frank Rabon, Pãã Taotao Tãno  
Johnny Sablan, Department of Chamorro Affairs  
John F. Salas, Regional Environmental Director (J45), Joint Region Marianas  
Frank J. Schacher, Chamorro Tribe  
Rlene Santos Steffy, Micronesia Publishing  
Dianne Strong  
Trini Torres, Chamorro Cultural Development and Research Institute

## C.2.2 COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS



### DEPARTMENT OF THE NAVY

COMMANDER  
UNITED STATES PACIFIC FLEET  
250 MAKALAPA DRIVE  
PEARL HARBOR, HAWAII 96860-3131

IN REPLY REFER TO:

5090

Ser N465/0006

January 4, 2019

Ms. Rita Chong  
CNMI Historic Preservation Office  
Department of Community and Cultural Affairs  
P.O. Box 10007  
Saipan, MP 96950

Dear Ms. Chong:

SUBJECT: NATIONAL HISTORIC PRESERVATION ACT, SECTION 106  
CONSULTATION FOR PROPOSED MARIANA ISLANDS TRAINING AND  
TESTING ACTIVITIES


In accordance with Section 106 of the National Historic Preservation Act (NHPA) of 1966, as amended, the United States Department of the Navy (Navy) is initiating consultation on the CNMI portion of the proposed continuation of Mariana Islands Training and Testing (MITT) activities. A supplemental analysis of the activities included in the 2015 MITT Environmental Impact Statement/Overseas Environmental Impact Statement (EIS/OEIS) is being prepared to support ongoing and future activities conducted at sea and on Farallon de Medinilla beyond 2020. The proposed continuation of MITT activities is generally consistent with those analyzed in the 2015 Final EIS/OEIS and are representative of training and testing the military has conducted for decades. However, reanalysis of the activities is being completed using new information available after the release of the 2015 Final EIS/OEIS. In part, this supplemental document will support the renewal of regulatory permits and authorizations under the Marine Mammal Protection Act and Endangered Species Act for training and testing activities. As defined by 36 CFR §800.16(y), the Navy has determined that the proposed activities represent an undertaking requiring consultation.

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Ser N465/0006  
January 4, 2019

The Navy will hold its initial Section 106 consultation meetings from January 22-25, 2019. We welcome your attendance and participation. Ms. Carly Antone of the Naval Facilities Engineering Command, Pacific's Environmental Business Line will be my point of contact for coordination of location, dates, and times. Ms. Antone may be reached by telephone at (808) 472-1464 or by email at [carly.antone@navy.mil](mailto:carly.antone@navy.mil).

Sincerely,



Timothy C. Liberatore  
Captain, Civil Engineer Corps, U.S. Navy  
By direction of the Commander

Copy to:  
Katharine Kerr, Advisory Council on Historic Preservation  
John Salas, Commander, Joint Region Marianas



**DEPARTMENT OF THE NAVY**

COMMANDER  
UNITED STATES PACIFIC FLEET  
250 MAKALAPA DRIVE  
PEARL HARBOR, HAWAII 96860-3131

IN REPLY REFER TO:  
5090  
Ser N465/0024  
January 9, 2019

Dear Sir/Madam:

SUBJECT: NATIONAL HISTORIC PRESERVATION ACT, SECTION 106  
CONSULTATION MEETING FOR PROPOSED CONTINUATION OF  
MARIANA ISLANDS TRAINING AND TESTING ACTIVITIES

In accordance with Section 106 of the National Historic Preservation Act (NHPA) of 1966, as amended, the United States Department of the Navy (Navy) is initiating consultation on the CNMI portion of the proposed continuation of Mariana Islands Training and Testing (MITT) activities. A supplemental analysis of the activities included in the 2015 MITT Environmental Impact Statement/Overseas Environmental Impact Statement (EIS/OEIS) is being prepared to support ongoing and future activities conducted at sea and on Farallon de Medinilla beyond 2020. The proposed continuation of MITT activities is generally consistent with those analyzed in the 2015 Final EIS/OEIS and are representative of training and testing the military has conducted for decades. However, reanalysis of the activities is being completed using new information available after the release of the 2015 Final EIS/OEIS. In part, this supplemental document will support the renewal of regulatory permits and authorizations under the Marine Mammal Protection Act and Endangered Species Act for training and testing activities. As defined by 36 CFR §800.16(y), the Navy has determined that the proposed activities represent an undertaking requiring consultation.

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The current list of consulting parties for this undertaking includes the State Historic Preservation Officer, National Park Service, and other interested parties identified through previous consultations. We invite you to attend and participate in the Navy's initial Section 106 consultation meetings in Saipan and Tinian being held on January 24 and 25, 2019, respectively.

5090  
Ser N465/0024  
January 9, 2019

Should you be aware of an interested entity/individual not included in the "Copy to" section of this letter, please forward the invitation accordingly.

On Saipan, we will meet at the Kanoa Resort, Latte Stone Room, from 4:00-7:00 pm. On Tinian, we will meet at the Mayor's Offices, from 10:00 am – to 1230 pm.

The meetings will focus on the following:

- 1) Explanation of the NHPA Section 106 process;
- 2) Details about the Undertaking;
- 3) Development of the Area of Potential Effects;
- 4) Identification of Historic Properties
- 5) Potential effects of the Undertaking on Historic Properties

To attend, please respond no later than January 18, 2019 to give us an opportunity to ensure accommodations for all attendees at the meeting venues. Ms. Carly Antone of the Naval Facilities Engineering Command, Pacific's Environmental Business Line will be my point of contact for coordination. Ms. Antone may be reached by telephone at (808) 472-1464 or by email at [carly.antone@navy.mil](mailto:carly.antone@navy.mil).

Sincerely,



Timothy C. Liberatore  
Captain, Civil Engineer Corps, U.S. Navy  
By direction of the Commander

Copy to:

David M. Apatang, Mayor of Saipan  
Stanley Austin, Pacific West Region, National Park Service  
Bonnie Borja, Department of Community and Cultural Affairs, Office of the Mayor, Tinian  
John Castro  
Don Farrell  
Walt Goodridge  
Robert Hunter, CNMI Department of Community and Cultural Affairs  
Stanley Iakopo, Civil Military Liaison Office, Office of the Governor, CNMI  
Katharine Kerr, Advisory Council on Historic Preservation  
Gregorio Kilili Camacho Sablan, Congressman, CNMI  
Polly DLG Masga, Northern Marianas Humanities Council  
Randel Sablan, Joint Region Marianas (Saipan)  
John F. Salas, Regional Environmental Director (J45), Joint Region Marianas  
Joey Patrick San Nicholas, Mayor of Tinian  
Oscar C. Torres, Military Liaison and Veterans Affairs, Office of the Governor, CNMI