

ALL CAPS

Final Report of the Joint Land Committee

Introduction → center

The Joint Land Committee has held three sets of working sessions since Marianas IV. The results of the first two of these sessions are discussed in a draft working report entitled "Interim Report of the Joint Land Committee", dated September 1, 1974. Since that date, the final session of the Joint Land Committee was held in Washington, D.C., starting September 19, 1974 and concluding on September 27, 1974. Many meetings were held, both at the Department of Interior and at the offices of Wilmer, Cutler & Pickering. In addition to these full committee meetings, the representatives of the United States delegation and the representatives of the MPSC met in private caucus on many occasions.

Individuals present at various times during the latest working session of the Joint Land Committee were as follows: For the United States, James Wilson, Emmett Rice, Walter Appell, Jr., Athol Smith, Dale Straight, Saegar Poole, and Roy Markon; and for the Marianas, Pedro A. Pennorio, Jose R. Cruz, Benjamin G. Manglona, James E. White, Howard Willens, James Leonard, Michael Helfer, Maury Seldin, and Ina Bechhoefer.

The problems <sup>faced</sup> stated by the Joint Land Committee in many respects were the most serious faced by the MPSC and the U.S. Delegation in the whole of these negotiations. It was

apparent to both sides that not all of these serious problems could be resolved at the committee level. To the maximum extent possible, all issues were discussed thoroughly, and each <sup>side</sup> presented at least tentative positions. But on some major issues the Committee was unable to develop a recommendation for the <sup>principals,</sup> principles. These issues must be reserved <sup>in their entirety</sup> for Marianas V.

Most of the discussion during the final session of the Joint Land Committee centered on ~~the price to be paid for the land to be acquired by the United States for military purposes,~~ <sup>arrangements for</sup> the port facilities at San Jose Harbor, ~~the terms~~ the terms of the joint use of West field by the civilian community, ~~and~~ the terms of the general joint use of the utilities and facilities of the military complex to be

developed on Tinian, The results of these discussions are described in this Report. <sup>¶</sup> Also discussed by the Committee was the survey to be completed by the United States to show the southern boundary of the U.S. requirements on Tinian, and the boundaries on <sup>Tanapag</sup> ~~Tanapag~~ Harbor and Isley Field; and to provide description language for the island of <sup>Farallon</sup> ~~Farallon~~ de Medinilla. The Marianas representatives have been assured by the United States that the survey is now completed, and will be made available to the Commission as a whole promptly, and in any event, prior to Marianas V. Accordingly, no further mention of the survey is made in this Report. Nor are the subjects of the method of acquisition of the land to

and on the price to be paid for the land to be made available to the United States for military purposes,

be used for military purposes or the method by which that land will be paid for discussed in this Report, although these subjects <sup>(to)</sup> were touched upon by the committee. The <sup>positions</sup> decision of the <sup>principals</sup> principals with respect to <sup>these</sup> the subjects <sup>are</sup> are so clear that the members of this Committee felt constrained not to alter those positions. Simply put, the United States wants to acquire this land by purchase in fee simple, <sup>making</sup> with a single <sup>lump-sum</sup> payment. The MPSC's position is that the land should be leased to the United States for a term of 50 years with an automatic option to renew. Payments would be made and adjusted periodically.

#### MAJOR SUBJECTS OF DISCUSSION

##### I. San Jose Harbor -- Tinian

The initial position of the United States in reference to the San Jose Harbor - Tinian when the final session of the Joint Land Committee began was that they needed to acquire the following: the break water, turning basin, the wharf area, and the lands directly behind the wharf area. This area consists of approximately 49.7 (50<sup>±</sup>) ~~plus or minus~~ acres, not including the breakwater or turning basin, broken down as follows: ~~{insert chart}~~ ~~{go to page 7}~~.

Five parcels directly behind the wharf area	31.5 acres
One parcel next to the five parcels	13.4 acres
The wharf area itself	4.8 acres
Total	<u>49.7</u> acres

After a review of the entire situation among the Committee members, it was agreed that the recommendation of this Committee to the <sup>principals.</sup> ~~Commission as a whole~~ be that all land requested by the United States Government in the San Jose port area be made available by the Marianas, with the exception of the two easterly parcels of land amounting in total to 9 acres along with the road adjacent thereto, and the most easterly six hundred feet of the wharf area. This 9 acres of land and the six hundred feet of wharf area are to be retained by the Government of the Marianas for purposes of port and port related activities of a commercial nature to be developed for use by the civilian community.

It is the recommendation of the Committee that the Government of the United States develop the Harbor Area of San Jose Harbor in its entirety. It is estimated that the cost of this development of the Harbor under present conditions will be approximately \$11,000,000. This redevelopment cost figure is subject to <sup>with engineering studies,</sup> inflationary trends, shortages of labor, and various possible delays which could in effect increase or decrease the total overall cost. This \$11,000,000

estimate

generally breaks down as follows: Breakwater repairs: \$750,000; repairs to the wharf area: \$3,000,000; dredging the Turning Basin and up to the Wharf areas to a depth of 40 feet: \$4,250,000; storage development in the waterfront area<sup>2</sup> i.e., transit sheds and setting up a container yard: \$1,500,000; administrative office development: \$400,000; appropriately setting up a development of the liquid utilities (POL): \$1,000,000. It is the recommendation of this Committee that all of the above stated costs be borne by the United States, except for that proportionate share of wharf rehabilitation cost applicable to the six hundred feet of wharf area to be retained by the Government of the Marianas. It is the further recommendation of this Committee that the Government of the Marianas reimburse the United States Government this prorata cost figure when it is developed.

It is recommended by this Committee that the POL facilities, when developed, ~~will~~ be so developed as to ~~adequately~~ allow other commercial operations to continue on an uninterrupted basis during the loading and off-loading of POL products. A review of the present laws and regulations indicates that normal commercial harbor operations will allow for joint harbor activities involving POL products and other commercial cargo loading and unloading. However, the military

<sup>apparently more stringent. It appears that ~~the~~ those regulations</sup>  
safety regulations are sufficiently expanded as, in a Harbor  
as small as San Jose Harbor, <sup>may not prohibit</sup> ~~to not allow~~ both of these  
activities to be in operation at the same time. It is the  
recommendation of this Committee that the principals adopt  
the position that normal commercial practices in reference  
to POL product loading and unloading be adopted ~~and not the~~  
~~more stringent military safety regulations~~ so that adequate  
commercial activity can be continuously in operation at San  
Jose Harbor.

It is the recommendation of this Committee that the  
operations of the Harbor area being acquired by the United  
States Government come under the civilian control of the  
Government of the Marianas. However, initially, it is under-  
stood that the Government of the Marianas may be without  
sufficient expertise and capability adequately to manage this  
port facility. Consequently, it is further recommended by  
this Committee that the initial operations of the port area  
to be <sup>acquired by</sup> ~~leased to~~ the United States be directed by the United  
States Government or its <sup>designee</sup> ~~designate~~ during the initial <sup>period of</sup> major  
construction <sup>of the</sup> ~~activities period~~ for base construction on the  
island of Tinian. After this initial operating period, the  
responsibility for port operations will be transferred from  
the United States Government to the Government of the  
Marianas, or to <sup>a</sup> ~~some~~ non-profit entity designated by the

Government of the Marianas. It is estimated that the transfer of operating responsibility will commence within four years, and be <sup>will</sup> completed within seven years, from the date that port construction begins.

During this initial operating period, the United States will encourage the development of Marianas capabilities by whenever possible awarding port service contracts to qualified local firms if existing laws and regulations permit such port service contracts be so awarded on a <sup>this</sup> preferential basis. The United States will also establish a program to recruit, employ and train citizens of the Marianas for port related jobs of all levels.

The Committee recommends that the port be operated in such a manner that the 600 foot wharfage and the 9 acre backup area to be retained by the Government of the

the same construction and military cargo loading and off-loading. It is further understood that at various times, the use of the facilities to be acquired by the United States and the facilities to be retained by the Marianas may be needed by each other and a coordinated effort to insure

Marianas will generally be used for the loading and off-loading of commercial cargo for the civilian community, while the remaining port area will generally be used by the United States Government for its base construction and military cargo loading and off loading. At various times, of course, the use of the facilities to be acquired by the United States and the facilities to be retained by the Marianas may be needed by each other and a coordinated effort to ensure commercial viability for both the military and civilian communities on the Island of Tinian is necessary. The intended use of San Jose Harbor by the United States is generally for purposes associated with supporting the military complex to be established on Tinian; however, this does not mean that military non-cargo vessels will not make use of its facilities.

The Committee recognizes that both during the initial operation of the port when the majority of the work to be done at the port will be under the control and jurisdiction of the United States and later when the functions of the port are under the jurisdiction and control of the Government of the Marianas, certain expenses attributable to both the area retained by the Government of the Marianas and the area to be acquired by the United States will need to be charged to those vessels using the port facility.



With this in mind, the Committee recommends that the Joint Military Civilian Relations Committee, or <sup>another</sup> a ~~second~~ committee established with membership from both the United States and the Government of the Marianas, develop and determine appropriate principles relating to the control of vessels and the payment of ~~these~~ fees.

II. The Commercial Airport on the Island Of Tinian

This Committee has done much work and had much discussion in reference to the commercial air facility to be located within the military complex adjacent to the proposed new runway to be developed by the military on Tinian. At the second session of this Committee, position papers were presented covering a myriad of problems relating to this facility. Since that time, at the request of the United States, the Marianas representatives have graphically presented the physical needs for commercial air field activity in the foreseeable future on the Island of Tinian. These needs, as presented, are for a terminal of approximately 1200 square feet, and automobile parking lot of approximately 50 spaces and an apron area to handle at any one time <sup>two</sup> 2 707 jet aircraft and <sup>eight</sup> 8 small private planes.