

Public Hearing

February 8, 2011

Appointment of Peter Calvo to Serve as the Director of the Dept. of Park and Recreation

Partial Transcription

Sen. Respicio: Thank you very much madam chair I just want to get you for the record. I know you say just as Attorney Clark has said you're not the SHPO and you don't intend to be the SHPO. Well, quite frankly that's not your decision that matter is prescribed by law...and Linda Aguon is the SHPO, recognized by statute...and I'm glad you recognize that. Do you have an update if in fact she received the designation letter from Governor Calvo?

Peter Calvo: I am aware that they are looking into it right now. It should be forth coming. As soon as I got the official request for designation, I immediately sent it up to Adelup for that recognition.

Sen. Respicio: But, what's the hold up though?

Peter Calvo: I don't know what the hold up is. I'm pretty sure they intend to designate immediately. It's just a matter of making sure they are going through the right process. It's a learning experience even for me.

Sen. Respicio: Well, if I can help by drafting a letter...I will. Because, that's all that's required.

Peter Calvo: I understand that...In fact we did actually send a draft to that effect. I'm not sure where it's at, at this point.

Sen. Respicio: But my fear is that there's more to it. It's just the same as saying I'm going to impanel the Guam First Commission...but yet we never had our first meeting. It's the same thing as saying that everybody recognizes Linda Aguon to be the SHPO but at the Federal level they're not recognizing her. They're trying to recognize you.

(PAUSE)

Peter Calvo: Um...I don't know what to say? In that regard...again I'm not the one that designates. I did pass the information on.

Sen. Respicio: But, the Chair also asked the question that I already wrote down in my notes here. I wrote down the Programmatic Agreement and I wrote down where you sign it. There's a difference between telling this committee that you recognize Ms. Aguon to be the SHPO and that she's going to provide all the technical review that's required. But in anyway do you anticipate that ...have you or will you be asked to sign the programmatic agreement?

Peter Calvo: I've never been asked. If I'm not needed to sign the Programmatic Agreement ...I don't see a necessity for me to do so.

Sen. Respicio: Well assuming that Ms. Aguon will not sign the Programmatic Agreement, because there are some problems with that. You know with this military build-up everybody talks about it being done right. Lo and behold an agency such as parks and recreation who is very important to our island community by way of sports programs and the preservation of culture. Who would have thought that

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this one agency and this one individual in your capacity has the power to stop this \$15billion build-up and bring it to a screeching halt? So, that everybody recognizes under the NIPA process this permitting must be done right. They want one license for all these projects and they want to do it in this kind of manner ...but, we're saying you don't. You have to follow your own procedures as outline by the NIPA process. And, I want to ask you again ...If you are asked to sign the programmatic Agreement...are you going to get involved or are you just going to say; "My signature should not even be on that document because I'm not the SHPO and I don't recognize myself as the SHPO, only Linda Aguon is the SHPO"

...I'm asking you if pressure is put on you. You were at that meeting when I told Arthur Clark...when Senator Barnes pulled everyone together to discuss this. That if Linda Aguon's signature is required for that Programmatic Agreement she will not sign because she pointed out problems. If your signature block is on that Programmatic Agreement, you will sign...because you would be pressured to.

Peter Calvo: Well Senator I've always had a very strong mind and a strong will...and I've always did what I felt was right. I wouldn't sign just to sign. First of all it would have to be done right.

Sen. Respicio: But why are you even entertaining the option of signing when you're not the SHPO?

Peter Calvo: Yeah, I'm not the SHPO. But, you're asking me a direct question...would I sign. Again, if for me – if it were up to me my personal opinion I wish we could protect every single cultural village that we've recognizes already but it's not up to me – I wouldn't sign if it wasn't beneficial to the people of Guam – and at this point I'm not part of the signatory requirement the way I see it and my objective right now is really just to observe and ensure that the process is being done correctly

Sen. Respicio: well then what is your position on Pãgat? Because the legislature as a policy has taken the position that Pãgat needs to be taken off the table and you absolutely can't have a firing range in that area and disrupt the cultural sensitivities and what that area represents to our Chamorro culture. What is your position on Pãgat?

Peter Calvo: I agree senator that it should be taken off the table. In fact with Lynda Aguon and myself we've already discussed certain enforcement issues immediately putting up a sign as quickly as we can get it up there in regards to violation of taking. In previous years you only had a few people going down to Pãgat now you have hundreds going down to Pãgat and I'm just afraid that slowly little bits and pieces are being taken out of there so we're going to try to enforce some of the existing laws that protect that area

SEN. RESPICIO: You know, Pete, I have a lot of respect for you and when I heard you were gonna be appointed for this position I wasn't surprised, you're involved in baseball activities with my dad, my brother, and our families- we know each other. Can you just say that- I guess my question is – can you just go beyond recognizing her as the state historic preservation officer and say that your position relative to this issue will be Lynda Aguon's position? None of this if I'm asked to sign I'll sign it if it's in the best interest in the people of Guam. I'm not being asked but if I'm asked this is what I'll do. I just

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wanna hear from you, your position will be Lynda Aguon's position because she's recognized by our local statute. Your governor's chief of staff Frank Arriola, his mom, when she was a member of the legislature this is a law that she created- and you know, there's just something to be said about there being a higher power and how this higher power guides our island community and look at everything everyone's tried to do to tell the federal government that we have a problem with this military buildup. The fifteen billion dollar promise is not gonna happen outside the fence. They're talking about having their own power, water, wastewater infrastructure but when the legislature came out and said you have to have one integrated system that's when they started changing their tune but lo and behold the thing that's the hold up here is the programmatic agreement and whether or not you get confirmed by this legislature remains to be seen whether or not I support you depends on whether or not you will defer to Lynda Aguon that's all I wanna hear that regardless of the kind of the political pressure that's gonna be put on you that that's not your place to sign that programmatic agreement because if you sign it the Feds will recognize it and then everything will go as planned. To not sign the programmatic agreement does not mean that you're anti-military buildup, that's not our position here at the Legislature it just has to be done right and they have to follow their own processes so I wanna ask you for the record: will you just then defer to Lynda Aguon who is the SHPO for Guam designated by local statute and that whatever she decides to do in terms of the programmatic agreement as director of that agency you will support your employee?

Calvo: Yes, I will support Lynda Aguon.

SEN. RESPICIO: So if they ask you to sign you're gonna say that its Lynda Aguon's signature that has to be on that document and I'm gonna defer to her?

Calvo: Yes.

SEN. RESPICIO: You have my support, sir.

Calvo: Thank you.

SEN. RESPICIO: Thank you.