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Naval Facilities Engineering Command, Pacific
Attn: O9PA, Public Affairs Office
258 Makalapa Drive, Suite 100
JBPHH, HI 96860-3134

RE: Public Comment Submission: CNMI Joint Military Training (CJMT) Draft Environmental Impact Statement (EIS) / Overseas Environmental Impact Statement (OEIS)

Dear CJMT Draft EIS/OEIS Evaluators,

These comments are in response to all numbered alternatives for Tinian and Pagan in the EIS, except where a particular island is specified herein.

Summary of the effect of the U.S. military's proposals on the environment and on the people of the CNMI

The purpose of the NEPA is to promote informed decision-making by federal agencies by making "detailed information concerning significant environmental impacts" available to both agency leaders and the public. The proposed activities and scientific information listed in the CJMT Draft EIS/OEIS as a bases for allowing the activities to happen are inadequate and in all honesty unthinkable. All of the alternatives for Tinian and Pagan must be abandoned as they will subject the environment and the people of the Commonwealth of the Northern Mariana Islands, to extreme adverse impacts.

The proposed activities will have wide-spread negative consequences that will effect every aspect of our lives in the CNMI; health, environment, economics, culture, historic preservation, social justice, natural resources, community infrastructure, safety, freedom of movement, human rights, and the rights of American citizens to life, liberty and the pursuit of happiness. The proposed activities will bring about the destruction of huge areas of some of our most valuable lands and waters. They threaten the health and safety of tens of thousands of us; men, women and children – most of whom are American citizens and all of whom are human beings who should matter. The proposed activities will take lives through illness and accident. They will cause severe damage to our ability to support ourselves economically. They will destroy cultural and historic treasures. They will cause the physical destruction and contamination of our unique and beautiful islands that attract the tourists that are our main source of income.

The perceived threat of these proposed activities to the general public and business community is already having a negative affect on our economy as individuals, businesses and potential investors consider the coming devastation to our islands and our economy under the proposals. Our community is on hold as we await the outcome of the U.S. military's decision. Families are looking at alternatives to living in the CNMI and exposing their children and future generations to the dangers the intentions represent.

We are responding as anyone would to the threat of high-level live-fire ranges in their community, near their children. We will be surrounded by live-fire ranges; on Guam to the south; on Tinian to the west, on FDM and on Pagan to the north, and all around us on and in the ocean. We know what this will mean to our community. It means the mass killing of wildlife, fish, coral reefs, turtles, dolphins and whales. It means the extinction of some species. It means the long-term contamination and damage of our lands and waters. Many areas will be completely and permanently destroyed. Others will be rendered unusable for generations or forever. The use of our home islands for destructive live-fire testing and training, and all the consequences that such uses entail, including the jurisdictional domination of our airspace and maritime waters and the occupation of over 24% of our land mass by the U.S. military, means the end of our peaceful lives as free Americans.

These comments are in response to and pertain to the CJMT EIS/OEIS. However, it must be noted that it is unfair and contrary to the intent of NEPA that the public, local government and other stakeholders are not afforded the opportunity to be informed of the cumulative impacts of the multiple and inter-related activities that the U.S. military is pursuing in the Marianas, all of which involve destructive live-fire weapons testing and training. It is impossible to arrive at a complete, informed understanding of the cumulative impacts of all the proposed activities when they are presented one at a time, to be considered in isolation, as if each does not add to the impacts of the others.

The decision as to whether or not to proceed with the proposed actions will be made by people that will not be affected by the devastation it will cause. It is clear from the EIS that they consider the people of the CNMI to be obstacles and not people who matter. They have lost sight of their mandate to protect Americans, all Americans, including the ones who are inconveniently in the way of what would be the most appealing course to their objectives. There are many alternatives that can work but are not even being considered. The draft EIS appears to have been prepared with a pre-set result in mind. The goal seems to be to get the land and waters of the Marianas under military control rather than to get our military personnel the training that they need. The focus is entirely on the Marianas. Any and all alternative options are left ignored and unexplored.

In addition to the destructive physical, cultural and economic impacts of the proposed activities to the people of the CNMI, there are also ethical considerations. The intent to take, damage and destroy large portions of our beautiful home islands against our will is a betrayal of the trust we put in the United States of America. The people of the Northern Marianas negotiated with the United States of America in good faith. The result was the Covenant Agreement that is the basis of our relationship with the United States. That agreement provided the Department of Defense(DOD) with the lands that it requested. Those land concessions were given for express purposes. It was obviously never the intent or understanding of the representatives of the people of the Northern Islands that giving the DOD the lands they asked for also meant giving them the right to permanently damage or destroy those lands. They certainly neither intended nor understood that they were giving the DOD license to take whatever other lands they wanted as well. Yet this is exactly what is happening here, and with devastating consequences for the people of the Northern Marianas.

PART ONE

The U.S. military's proposal is in direct contradiction to Executive Order 12898 "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations" and therefore must be withdrawn.

Executive Order 12898 provides that *“each Federal agency shall make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations.”*

The proposed activities will do tremendous damage and harm to the CNMI – one of the poorest communities in the United States and one that is made up of well over 95% ethnic minorities.

The U.S. insular islands of American Samoa, Guam, the U.S. Virgin Islands, and the CNMI all suffer high levels of poverty. But among them the CNMI is the poorest. According to the 2010 CNMI Census the CNMI has the lowest annual family median income (MFI); only \$22,455 compared to Guam's \$50,607, American Samoa's \$24,706, and the U.S. Virgin Islands' \$45,058. This is about one third of MFI in the U.S. mainland where MFI is \$64,400. The CNMI's low MFI is persistent, achieving a miniscule growth of just \$1,180 across the 20-year period from 1990 when CNMI MFI was at \$21,275 per year.

The census on the poverty level covered 53,366 individuals. The data showed 11,693 individuals were below 50 percent of the poverty level; 32,885, below 125 percent of poverty level and 40,368, below 185 percent of the poverty level. This persistent poverty is only recently showing signs of improving now that our tourism-based economy is back on track after decades of decline, with new visitors from China, South Korea and Russia fuelling the recovery.

The proposed activities will devastate tourism, the CNMI's main economic engine. The sheer size of the proposed activities will change the aspect and reputation of the CNMI from that of a desirable tropical paradise to a damaged and disfigured place, dominated by the military and live-fire bombing ranges. This change in aspect and reputation will be accompanied by major loses in tourist sites. Most of Tinian's green areas, including beautiful beaches and nearby waters will be off-limits to tourists either permanently or for much of the year. Most of Tinian's World War II historic sites will also be lost to tourism. The peace and quiet that tourists seek in a tropical paradise will be compromised with the sights, sounds and shock waves of live-fire.

Tourists coming to Saipan will, as a result of the Saipan “divert airfield” sought in a separate EIS by the U.S. military, arrive in what looks like a military airbase. They will see and hear live-fire activities on nearby Tinian just three miles away. The airspace over and around Saipan and Tinian will be dominated by military aircraft, including fighter jets and helicopters, that will be seen and heard by tourists, degrading their experience.

Eco-tourism to the Northern Islands of Pagan, Alamagan and Agrigan will be completely shut down due to the loss of the main draw, Pagan, and travel restrictions that will block access to Alamagan and Agrigan during much of the year.

As our appeal as a tourist destination is degraded, we will lose tourists and tourism-related jobs. Businesses that provide entertainment, food and services to tourists will suffer. Taxes from hotel stays and tourist spending will decline.

With the reduction in tourism, the local people also lose opportunities to travel between our islands and to overseas destinations as flights are reduced and airline ticket prices increase. Higher ticket prices will add to the cost of doing business and the cost of living as well.

Loss of access to the sea will negatively impact local commercial fishing. Tinian's farmers and ranchers will lose their leased areas on the northern 2/3 of Tinian. Relocating ranchers elsewhere in the CNMI does not solve the problem as land is scarce everywhere. Such a relocation would only displace other people and activities, thereby transferring the resource and economic loss from one group to another.

Executive Order 12898 protects not only low-income communities, but minority communities as well. We in the CNMI are almost all ethnic minorities. According to the 2010 CNMI Census, 84.9 percent of the CNMI population was Asian or Native Pacific Islander. Another 12.7 percent claimed two or more ethnicities. Only 2.5 percent were "other". Poverty is high among the ethnic majority, especially among families. Again according to the 2010 CNMI Census, there were 4,760 families below poverty level. Of these, 1,023 were Chamorros; 291, Carolinians; 436, Native Hawaiian and Pacific islanders; 359, Chinese; 1,979, Filipinos; 173, Koreans; 145, other Asians; and 51 other ethnic origins or races. These 4,760 families make up over 44 percent of our population. They will be the hardest hit by the economic damage resulting from the proposed activities.

The overall effect of the proposed activities is to severely reduce economic options and opportunities for the already impoverished people of the CNMI, 97.6 percent of which are ethnic minorities. The proposed activities will bring deeper and more painful poverty to the community. This is a classic "not in my backyard" scenario where the CNMI is a scapegoat that is being forced to bear a burden that would be unthinkable in any wealthy mainland American community. The CJMT proposal is therefore not in compliance with Executive Order 12898.

The following questions pertain to the requesting agency's compliance with Executive Order 12898.

1. Is it your position that Executive Order 12898 does not apply to the U.S. military? If so, why not?
2. Is it your position that the protections of Executive Order 12898 do not apply to Americans living in the CNMI? If so, why not?
3. Are the adverse human health and environmental effects of proposed activities in the CNMI in proportion to what affluent and non-minority communities in the rest of the United States of America must bear for the same purposes? If yes, please explain and cite examples.

PART TWO

The proposed activities threaten the health and safety of the public.

The proposals put civilians in great physical danger. On the tiny island of Tinian, there are 2800 people living in the southern one third of the island. Tinian is only about 9 miles long and 4 miles wide. The proposal puts a fence between these men, women and children and the U.S. military's second highest level of live-fire range. Pagan is even smaller. Pagan would have the military's highest level of live-fire range, including bombs up to 1000 pounds dropped from airplanes and shells fired from ships.

The following information that comes directly from the CJMT Draft OIS/EOIS serves to illustrate and provide some appreciation of the level of threat and exposure from explosive ordnance that the people of Tinian and Pagan will be exposed to.

Each year the U.S. Navy and the U.S. Marine Corps will fire the following number of explosive ordnance on Tinian and Pagan:

- Field artillery, shells, mortars, rockets, grenades: 114,681
- Small arms - up to .50 caliber: 4,924,643
- Air-delivered munitions - up to 1,000 pound bombs: 176,600

In just six years the U.S. military will have;

- dropped over one million bombs up to 1,000 pounds
- launched over 688,000 shells, mortars, rockets and grenades
- fired nearly 30 million small arms munitions

In sixty years the two islands will have been hit with;

- over 10 million bombs up to 1,000 pounds
- nearly 7 million shells, mortars, rockets and grenades
- 300 million small arms munitions

These numbers are based on the military's analysis for an annual live-fire training demand of 20 weeks for Tinian and 16 weeks for Pagan. The EIS stresses that future live-fire training demand could up this to 45 weeks on Tinian and 40 weeks of training on Pagan. Then the corresponding rate of bombardment would likely be two and a half times the above figures.

The estimates are also based on current "plans" and "intent". The types and frequency of ordnance fire appear not to be limited by the estimates stated in the EIS. For example, bombardment by ships at sea could occur on Tinian and the rate of bombardment and the number of ships participating could be increased for Pagan. The size, type and destructive capacity of ordnance can also increase. The use of 2000 bombs could be a change of plans. Full disclosure of the upper limit to the destruction, as well as the duration of the live-fire ranges is needed if stakeholders are to understand the true nature and consequences of the proposals. The impacts in the EIS must consider 45 weeks of training on Tinian and 40 weeks of training in Pagan since these levels are being discussed.

The levels of bombardment described in the EIS are completely inappropriate for small and inhabited islands. People will be so close to the live-fire that they will not only hear and smell the exploding ordnance, but they will feel shock waves through the ground as well. They will see, hear, smell and feel this for the rest of their lives and for generations to come. The level of noise and smoke, the level of shock waves to be felt, as well as the amount of exposure expressed in days and hours per day, must be fully evaluated and disclosed in the EIS.

Shells, rockets, mortars, missiles, grenades, bombs, bullets and other ordnance can misfire and ricochet. Targets are sometimes missed. Live-fire activities will certainly attract curious youth who will be in extreme danger when they trespass onto live-fire ranges. Parents will live with constant worry about where their children are. Everyone will live in constant fear of an errant shell or other ordnance coming over the fence, as happened at the live-fire range at Vieques when Sanes Rodríguez was killed by errant 500 pound bombs from a Marine F/A-18-C Hornet fighter. Sanes Rodríguez was in a clearly identified

hilltop observation post at the time. The threat of errant ordnance must be fully evaluated and disclosed in the EIS.

Unexploded ordnance poses an additional risk that is well known to the people of the Marianas who have seen many thousands of live, unexploded ordnance picked up by men, women and children since World War II. Sometimes it detonates when handled, resulting in serious injuries, maiming and even death. This threat must be fully evaluated and disclosed in the EIS.

Chemicals from ordnance is another risk. Where levels of soil surface contamination are high, dangerous chemicals can be inhaled and ingested. Chemicals from ordnance in the soil can make its way into ground water and into the public's drinking water. Chemical contamination of the soil by ordnance can be very long lasting. During the World War II Battle of Saipan, the Marpi area in Saipan was extensively shelled. Seventy years later the chemical components of exploded shells is still detectable in the soil. There is also an unknown amount of unexploded ordnance still on and below the surface soil. Soil contamination from explosive materials presents long-term health risks to the community. This threat must be fully evaluated and disclosed in the EIS.

The EIS has also not addressed the issue of exposure to both military personnel and civilians alike to airborne volcanic ash particles as a result of the impact of explosive ordnance in the high-level live-fire areas on Pagan. This ash contains high levels of crystalline silica according to the 2006 USGS report "Preliminary Geologic Map of Mount Pagan Volcano, Pagan Island, Commonwealth Of The Northern Mariana Islands ", and is classified by the International Agency for Research of Cancer (IARC) as a human carcinogen Group 1. Respirable crystalline silica dust has been classified by the National Toxicology Program (NTP) as a substance which may reasonably be anticipated to be a carcinogen. Acute Silicosis may occur with exposures to very high concentrations of respirable silica over a short period of time. Symptoms are coughing and shortness of breath. Acute Silicosis is a fatal disease. The health risk to training participants and the public must be fully evaluated and disclosed in the EIS.

Traumatic Stress Disorder (PTSD) is acknowledged to be a serious problem for many former vets. A number of veterans living in the CNMI suffer from PTSD. For these vets, the sight and sounds of live-fire activities can be insufferable. There may also be negative consequences to children's psychological health when they are exposed to live-fire sights and sounds year after year during their development. These add to the reasons why it is unacceptable to put live-fire range in close proximity to places where people live. The health risk to PTSD sufferers, both those who acquired PTSD elsewhere and those who may acquire PTSD as a result of live-fire activities, including children, must be evaluated and disclosed in the EIS.

While it is clearly acceptable to the military leadership to bring these dangers to the community, it is not acceptable to the community itself. Speaker after speaker at the public hearings and meetings expressed opposition to this plan. The families of Tinian and Pagan will live in constant dread and fear of accidental misfires and of their children finding and handling unexploded ordnance. They will worry about chemical exposure. The sounds of live-fire will constantly remind them of the ever-present danger.

The EIS has not addressed any of the above issues satisfactorily. The EIS should be amended to do so.

The following questions are related to risk assessment. The public needs this information in order to understand the risks that are being taken with their health and their lives. Please include answers to

these specific questions in a revised EIS. Each question applies to every EIS alternative for Tinian and Pagan, including the no-action alternatives that include live-fire activities.

1. What are the chemical components of each and every type of ordnance that will be used?
2. Will depleted uranium or any form of radioactive material be used?
3. What are the long and short term health risks associated with each chemical?
4. What is the physical path of those chemicals that pose a health risk once in the soil (e.g. subject to leaching)?
5. What are the anticipated contamination levels over time for each live-fire area described?
6. Will the military have the right to test or use other types of ordnance not listed in the EIS or not yet invented?
7. Will the military be limited to the level of live-fire activity described as planned or intended in the EIS? If not, can they increase these levels without the consent of the public or civilian government?
8. Is the use of biological weapons a possibility?
9. How long would the live-fire ranges continue to operate? If no specific number of years is known, then what range of years are we looking at here?
10. When does the military consider that the level of risk to civilians is too great for the proposed activities to proceed? Please answer in terms of persons killed or injured per year. Please also answer in terms of percentage risk of consequential illness per person per year.
11. Will the military be responsible for both short and long-term health care costs to treat civilian injuries and illnesses resulting from live-fire activities?
12. Will the military be responsible to financially compensate families when a family member is accidentally killed?

PART THREE

The EIS failed to fulfil its requirement under NEPA to inform the public when it failed to make the information in the EIS available to the public in a form that they could reasonably access and understand.

For most people in the CNMI, English is not their first language. For almost all of us, English is not a strength. This handicaps our ability to find and apply for jobs and business opportunities both here and elsewhere in the United States. A good example of how low English reading ability effects a community is this very CJMT EIS.

The CJMT EIS/OEIS is 1500 pages of moderate to highly technical information with references to about three times that number of pages as appendices. Based on hundreds of conversations with members of the CNMI public by myself and colleagues, most people found the document to be intimidating reading. Very few were able to comprehend the consequences of the proposed activities due to the document's highly technical nature and complicated presentation.

It is hard for an educated person such as myself to not consider that this massive document is intentionally incomprehensible for 95% of the CNMI population in order to take advantage of the low level of reading comprehension here. If those who prepared the EIS truly wanted to follow the intent and spirit of the EIS process they would have provided versions in our local and official languages of Chamorro and Carolinian, and they would have provided comprehensive summaries that made the

information accessible to the public. Many people here in the CNMI find this decision to produce such a document and present it in less than a dozen hard copies to the CNMI community, with the appendices only available on a supplemental CD, apprehensible, manipulative and grossly self-serving by the U.S. military. In my own experience, trying to read a downloaded PDF version of the document using a new Toshiba laptop was frustratingly slow, with the response time to display the next page taking an average of three to four seconds. This made the 1500 page document virtually unreadable.

The NEPA process was not followed when the U.S. military failed to do effective outreach. The EIS must be redone in local languages and an effective outreach program designed with measures in place to ensure success must be conducted.

In responding to this section, please ensure that the following questions that relate to compliance with the NEPA/NHPA mandated requirement to conduct effective outreach that informs the community and stakeholders of the proposed activities are answered fully:

1. Were the reading level and language skills of the CNMI community ascertained in advance of the public comment period in order to inform the outreach strategy?
2. Was any effort made to survey the public during the public comment period to find out if the information was reaching the stakeholders?
3. Was any effort made, such as the use of focus groups, in order to learn whether or not the average CNMI reader had the English literacy skills to successfully read and understand the DEIS and make an informed assessment of how the proposed activities would effect them?

PART FOUR

The U.S. military has intentionally broken its large-scale development of the Mariana Islands and surrounding waters into the world's largest live-fire training range into multiple proposal with the resulting effect of misleading the public and minimizing apparent impacts.

Prior to the approval of the Mariana Islands Range Complex (MIRC) proposal in 2010, the U.S. military already held extensive areas of the Marianas. This include fully half of the northern third of Guam along with huge areas in the south, including the island's only lake, most of the land around Apra Harbour, and numerous other large areas of Guam that, together, make up a third of Guam's entire land mass. Here in the CNMI, they held a long-term lease on two thirds of Tinian, land around Tanapag Harbour and the entire island of Farallon de Medinilla.

The MIRC created a half-billion-square nautical mile live-fire training range that surrounds Guam, Rota, Tinian, Saipan and all but the furthest islands to the north. The MIRC authorized live-fire on and in the land, air, and sea throughout the training range. It also expanded the small-arms scope of the Tinian ranges into four range complexes inclusive of artillery, grenade, and high-impact zones.

On July 30, 2015 the U.S. Navy announced its Record of Decision for another proposal—the Mariana Islands Training and Testing Area (MITT) that doubled the area of the MIRC to nearly a billion square nautical miles. It also greatly increased the level of the Navy's deadly sonar and live-fire ordnance testing and training in CNMI waters. The MITT plan allows the Navy to damage or kill over 6 square miles of endangered coral reefs plus an additional 20 square miles of coral reef around FDM through the use of highly explosive bombs. It ups the rate of explosive bombing from 2,150 bombs per year to over 6,000 bombs per year, increasing the Navy's bombing of FDM by roughly 300 percent.

On Sept. 2, 2015, the Navy signed the Record of Decision for another proposal, the Guam and CNMI Military Relocation proposal, approving a new Marine Base in Guam, a new Live-Fire Training Range Complex, or LFTRC, and a separate hand-grenade range.

Now we have the CNMI Joint Military Training (CJMT) proposal that would allow the military to use two-thirds of Tinian for their second highest level of live-fire training range and to take the entire island of Pagan and use it for their highest level of live-fire training.

Taken together, these proposals surround the CNMI with live-fire ranges; in Guam to the south; Tinian in the west, FDM and Pagan to the north, and all around us on and in the ocean.

With hindsight is obvious that the MIRC, MITT, Guam and CNMI Relocation, LFTRC and the CJMT are indeed one project. But it was not obvious until each of the parts became known. This step-wise approach on behalf of the U.S. military to create the world's largest live-fire range, has for all intents and purposes allowed them to circumvent the intent of the NEPA process. Public and government stakeholders were unaware of the full extent of the military's intentions. With each proposal, the activities and actions proposed, and on which stakeholders were invited to submit comments, was limited to that proposal only. The cumulative impacts were obscured. Decision makers in the U.S. military who approved each proposal, did so based in part upon the feedback and comments of under informed stakeholders.

Even considered alone, as currently presented, the CJMT proposal will greatly and negatively impact virtually every aspect of life in the CNMI: health, environment, natural resources, economics, culture, historic preservation, social justice, infrastructure, public safety and freedom of movement. When the cumulative impacts of the MIRC, MITT, Guam and CNMI Relocation, LFTRC and the CJMT are considered, the results are devastating.

The CJMT must be abandoned and a new proposal drafted that accurately describes the large-scale live-fire training range that the U.S. military is creating and that includes the CJMT proposed activities and actions in that context, so that the stakeholders may understand the true cumulative impacts, and be afforded the opportunity to comment as required by NEPA.

Sincerely,

Peter J. Perez
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Member Alternative Zero Coalition