



SENATOR FRANK F. BLAS, JR.

*I' MINA' TRONTA NA LEGISLATURAN GUAHAN*

January 12, 2010

*Hafa Adui!* My name is Frank Flores Blas, Jr., a Senator in the 30th Guam Legislature and this is my testimony:

**K-001-001** In 2005 during the initial discussions concerning the anticipated military buildup, I had the opportunity to speak with Air Force Lieutenant General Daniel Leaf on the need to address quality of life issues for the people of Guam in order to gain its acceptance by the people. Two issues directly related to the quality of life for our people are war reparations and the amounts spent by the people of Guam to provide services relating to the Compacts of Free Association. We were informed then that those matters as well as any other unresolved issue that didn't relate to the construction of the needed military facilities would have to be brought up with other federal entities other than the Department of Defense.

In conversations I have had with Major General David Bice and Mr. John Jackson, they too further related that the Department of Defense was in no position to deal with Guam's unresolved issues and that DoD's plans relating to the military buildup will be presented and discussed in the DEIS. I was also informed that although the issues were important, it had no relevance to the tasks they were directed to perform.

I believe that before we can have any meaningful conversation concerning the impact that the proposed buildup will have on our island or the requirements that need to be fulfilled in order to accomplish this action, Guam's unresolved issues pertaining to war reparations, compact impact reimbursement, the return of excess lands, the unfettered access to private lands blocked by federal installations, political status, and true representation in Congress have to be addressed and determined.

**K-001-002** In Chapter 3 of Volume 7 of the Draft EIS, more specifically on Page 3-55 under the sub-heading "Sociocultural Impacts," it states, "The political importance of some Chamorro issues would likely recede as the 'militarization' of Guam is stabilized at something close to present levels."

I find this statement both disturbing and highly offensive as to suggest that the promised economic activity as a result of the buildup will cause us to forget the sufferings and the killing of our people because of their loyalty to the United States during World War II. I don't appreciate the suggestion that we will forget the hundreds of millions of dollars that we have had to spend to fulfill the mandate imposed upon us as a result of the Compacts of Free Association.

Your promise of economic activity does nothing for the many people who had their lands taken from them for military purposes only to see that those lands now sit dormant and selfishly held for no compelling reason. And like your fore-fathers who established the United States of America because they firmly believed that it was unconscionable to have no representation in a Parliament that was making decisions for them without their representation, I am offended that you would believe that the militarization of Guam will cause me to continue to accept my status as a third class citizen and let you continue to impose your will without a discussion with me.

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### K-001-001

Thank you for your comment. Topics such as war experiences, war reparations, and veterans benefits are important issues but are not part of the proposed action. Comments related to these issues were numerous and indicate underlying social and political dissatisfaction with a broader range of federal-territorial relations outside the scope of DoD legal authority. The various EIS public engagement forums provided an indirect avenue for informing local and federal policy-makers of issues that are important to a significant segment of the community.

### K-001-002

Thank you for your comment. The statement regarding Chamorro issues compared the short-term impact of a high construction-related population with a more stabilized long-term population increase on Guam. It referred to the political focus on Chamorro issues rather than the long-standing cultural memory and importance that these issues hold with the Chamorro people on Guam. The statement has been amended to clarify these matters.

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Senator Frank Flores Blas, Jr.  
Comments on the DEIS  
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K-001-003 Or maybe this is part of your plan.

In the same chapter of the same volume, but now on Page 3-64 under the sub-heading of "Chamorro Issues," it states, "Guam's indigenous Chamorro population has strong concerns about whether incoming military populations would recognize them as both American by nationality and also a unique ethnic culture worthy of respect and preservation." It goes on to say, "However, an expansion in non-Chamorro voting population could eventually affect the population of Chamorro office-holders and government workers; thereby affecting the current government budgets and activities dedicated to cultural issues and practices. It could also affect outcomes of any future plebiscites about Guam's political status."

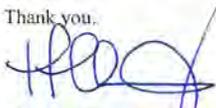
What are you telling me?

Is it part of your military buildup plans to inundate our island with people who will have no appreciation or consideration of our culture and beliefs so as to throw us out of our inherent and moral responsibility to protect our homes and our dignity? Do you firmly believe that we are going to sit back and let you take over our lives and force us to forget who we are and where we came from? That's never going to happen!

I have always said that before we have any discussion with what you further want to do on our island, we first deal with those issues that have been unresolved for too many years. Although it had been initially stated that those issues were not relevant nor connected to the buildup, the statements made on Pages 55 and 64 just made their relevance very significant. You opened the door on this, and now we're not going to let this go.

Where I have said, **now I demand!** Before you tell me of your plans to widen my roads, lease my property, strain my healthcare system, or overcrowd my schools, and how you intend to help me help you, deal with our issues first, then come back to me with your EIS!

Thank you.



FRANK FLORES BLAS, JR.

### K-001-003

Thank you for your comment. The purpose of the DEIS document and the EIS process as a whole is to bring to public attention the various and complex issues surrounding the military buildup on Guam and the CNMI. The concerns listed in the DEIS regarding Chamorro culture and concerns attempt to highlight concerns by the public within the project context for discussion.

The DEIS identifies that there is a potential for the incoming population to have the ability to vote and potentially compete for jobs with other Guam residents. Given that opportunity, there is a possibility that if the new population votes in local elections, new candidates may choose to run for office and perhaps new voters would vote for different leadership. On the other hand, military and their dependents may choose not to interfere with local elections, especially given their typically short tenure on the island. There was no attempt to state this as a probability, but only a possibility.

Thank you for your comment. Through the process of public involvement that has accompanied this proposed action (see FEIS, Volumes 1 & 10), the Chamorro people of Guam have voiced clearly and concisely their concern that the traditional Chamorro culture, including dance, language and traditions, will be forgotten or significantly marginalized by western culture. While population increases can highlight cultural differences, they also present unique and new opportunities for cultural learning and sharing. As indicated in the FEIS (Volume 2, Section 16.2.5; Volume 4, Section 16.2.5), the DoD plans for cultural sensitivity orientation and awareness programs which will focus on mutual respect and tolerance and strive to educate all incoming and currently present military personnel on the rich and varied cultural history that has created the culture that is Guam today. Finally, the DoD plans to increase military civilian joint activities in order to foster strong and mutually beneficial



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**SENATOR FRANK F. BLAS, JR.**

*I Mina'Trenta na Liheslaturan Guåhan*

*Hafa Adai,*

**K-001-004**

Guam's quest for recognition of the pain and suffering endured by Japanese Imperial Forces during its occupation in World War II recently suffered a setback by the United States Congress in their crafting of the 2010 Defense Authorization Act. Although the Guam World War II Loyalty Recognition Act did not survive the attempt to have it included as an amendment to the Defense bill, Congressional Senate leaders promised Guam's representative to have hearings on the war claims bill and consider taking action on the measure before the end of the 2009- 2010 term.

In December 2003, survivors of the war told their stories to the Federal War Claims Commission in hearings held in Guam. They gave their accounts to the brutality, the anguish, the degradation, the sufferings, and the fears that they had to endure. They gave eye witness testimonies of the lashings, the beatings, and the beheadings of their loved ones and friends. In those hearings, those who testified also expressed their hope that their nation will finally acknowledge what they went through and give them the recognition they so rightfully deserve.

Although there has been the promise of the opportunity to address the war claims issue over the next year, many of the remaining survivors are well within their golden years and traveling to Washington, D.C. to testify once again may be too difficult. Because of this, the decision makers in Congress have been asked to seriously consider holding hearings on this matter on Guam, and because of the mid-term elections that will be occurring across the United States late next year, it was further requested that the hearings be conducted before March 2010.

Unfortunately, there are also those who testified in 2003 that have since passed away. It is for those individuals who have died while waiting for their recognition and for our elderly who will find it impossible to travel almost 9,000 miles away that my office, in collaboration with the Marianas Variety and Marianas Media, Inc., will present a weekly series entitled, "**Real People, Real Stories.**"

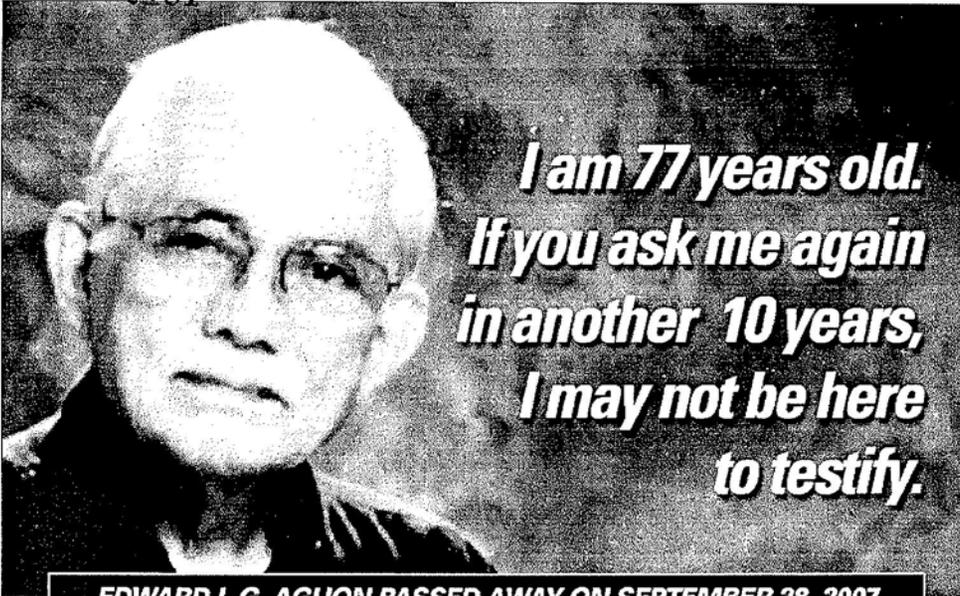
Once every week, for an initial period of 24 weeks, we will provide you the testimonies of those individuals who appeared before the War Claims Commission in 2003. Although transcripts of the hearings are open to the public, we will get the permission of the survivors, or that of their heirs, to provide their testimonies in this series. If the survivors or their heirs wish, we will also include their sentiments on the waiting they continue to endure.

**FRANK F. BLAS, JR.**

military civilian relationships that include the sharing and understanding of culture.

**K-001-004**

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***I am 77 years old.  
If you ask me again  
in another 10 years,  
I may not be here  
to testify.***

**EDWARD L.G. AGUON PASSED AWAY ON SEPTEMBER 28, 2007**

My name is Edward L.G. Aguon. I am a sole survivor. I was 15 years old when Guam was invaded. Today, I am asked to remember a painful time in my life, a time that I have been trying to forget, twice before have been asked to remember the same painful memories. I hope that today will be the last. In the questionnaire, number six, A and B, and number seven, I wrote about my injuries, forced labor, and the infamous march to Manenggon. I am confident that this honorable Commission will read it with compassion and empathy. I would like to spend the next few minutes to express the deep pain and sorrow that were carved in my mind and in the minds of our people. I'm pretty sure, because of the cruel occupation we were forced to endure.

But how can anyone express all these feelings. Mr. Chairman? An experience of leading to a brutal, atrocious occupation by the enemy force in five minutes.

The most agonizing memories come to mind when I think of the occupation of being forced to watch people brutalized, tortured and killed, to see the look on their face when the final stab of the bayonet pierced their flesh, to hear the cries as their last breath leave their bodies. And even then, the attackers continued to thrust the bayonet into their lifeless bodies.

I recall, as well, the most heartbreaking incident in my life, when we were hustled from our ranch and ordered to march to Manenggon. Tens of miles in hot and rainy days, we were gathered like cattle being led to the slaughter. We could not help anyone who fell behind or fell down. Even if that person was your grandmother, a sick relative or a dying friend, you had to move on and leave them there, lying on the road covered with mud.

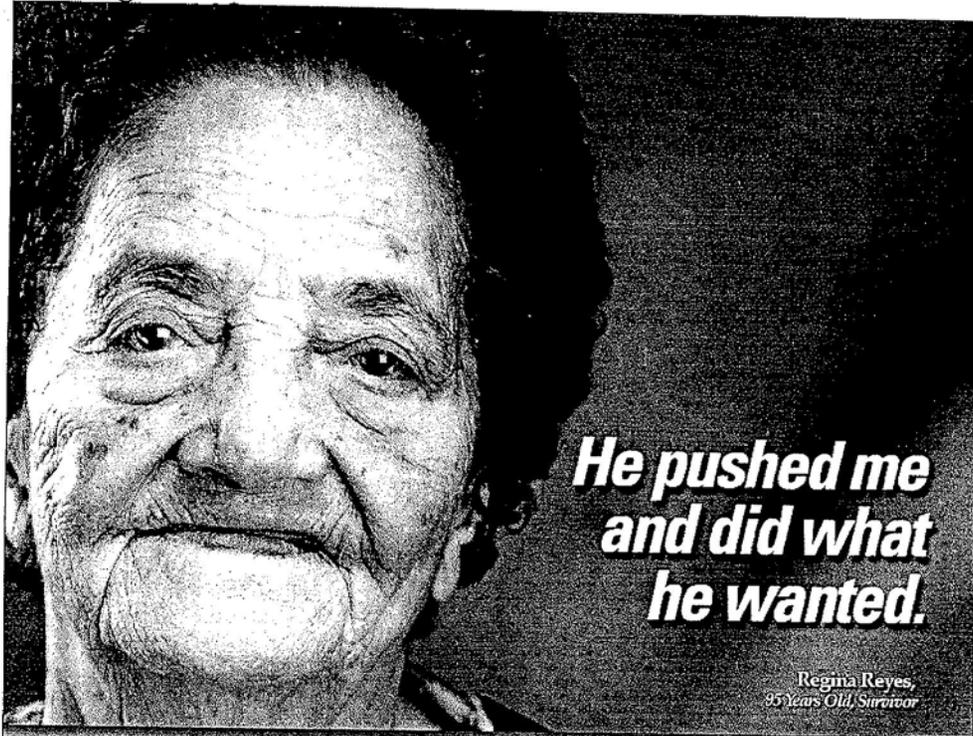
I didn't know what lay ahead. Mr. Chairman. Whether we were going to live or be slaughtered. And what of those who were injured or killed? My cousin, Marikita Perez Howard was killed. God knows how she died. My uncle, Phillipe Aguon Unpingco was brutally tortured and died, as well. Moreover, what about those members in my labor group who were critically injured? Jose Ignacio Flores from the Bisentiko Family, Jesus Cruz from the Papa Family, and a man called Iboing who died from his internal injuries? What about those who lived through the war, Mr. Chairman, but have since passed away, like my friend, Juan Cabrera, who miraculously survived near beheading?

Their stories will never be told, and their testimony will never be heard.

I am 77 years old. If you ask me again in another 10 years, I may not be able to be here to testify.

REAL PEOPLE. REAL STORIES. A weekly testimonial series provided by the Office of Senator Frank F. Ibes, Jr. The testimony of Edward L.G. Aguon is recorded in Guam. Wee Glens Review Commission public hearing held in Hagåtña, Guam on December 8, 2003. This ad paid by the community involvement of Guam Premier Outlets (GPO).

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***He pushed me  
and did what  
he wanted.***

*Regina Reyes,  
95 Years Old, Survivor*

I am Regina Reyes. My husband is Henry Reyes. I live in Agana Heights. In 1941, when we heard that the Japanese is in Hawaii, we're to get away in the house. We stay there all day until four o'clock. I go to my other house. Since I just got in my house, they got in with gun and shiny bayonet.

He asked me -- I don't know what to say about this, pointed the gun, and I said, no, I don't have.

And then he just pushed me on the wall and do what he want. He raped me.

Afterwards he left, then I went to my in-laws and they questioned me what happened so I said to wait first until I took a shower. The next day, my husband went to Mr. Tomas Ooka who was the commissioner at the time and he told him what happen to me.

Mr. Ooka said that they couldn't do anything because they did not know his name. They made my husband work from Tai to Agana Heights then we stayed in Famha. My husband kept working but I was left in Famha deep in the jungle.

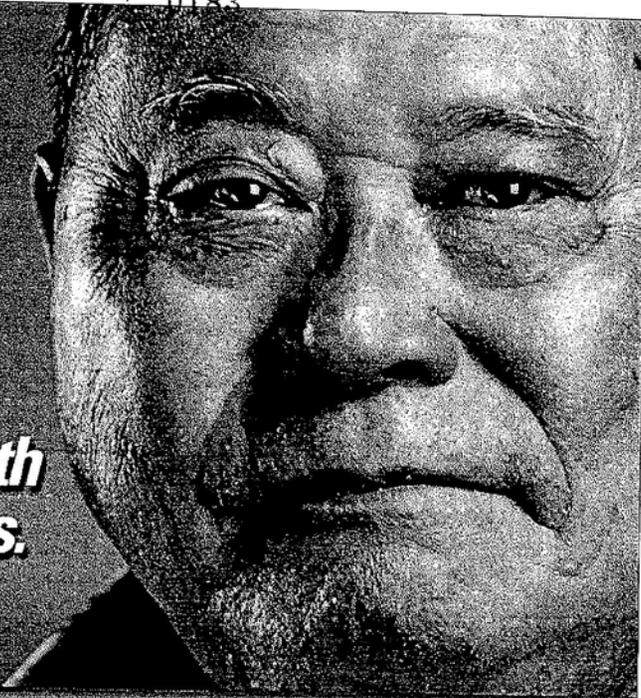
When the Japanese came, my husband was working in Tai. When we moved to Manenggon, my husband accompanied me then he left again because he was tasked to do some carrying of things for the Japanese.

Then, that night, when the Americans came, a Saipanese Chamorro came to tell me that my husband told him to tell me that he was alright. Since the time my husband and I parted company in Manenggon, that was the last time I ever saw him.

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# ***I suffered burns to both of my hands.***

**Jose Afaisen Pinaula**  
*79 years old, Survivor*



My name is Jose Afaisen Pinaula. I'm from Malojloj, Inarajan. I was 11 years old at the time. A little bit more than 11 years. I was born in August 13, 1930.

The physical trauma I received, and others alike here on Guam, shares the same feeling which our rights and our freedom was taken away.

We were treated and traumatized by the frequent formation and meeting reminding us that if we did not obey the Japanese Imperial order, we would be punished or killed by the firing squad. In addition, they frequently search our bodies and homes for weapons and other U.S. made goods or items.

At one time, Japanese soldier had slapped me six times, more time because he had claim that an order he received from the Japanese officer in charge was to

inform the people working at the coral pit to stop and prepare to return to the camp before daybreak.

I have suffered painful burn to both of my hands that lasted at least three days, then I was assigned to keep the diesel oil torchlight burning all night.

I became nervous wreck. My morale was at its lowest breaking point. I was frightened and scared for my life, that I did anything the Japanese soldier just to survive and be alive. Forced to work, even if I was extremely ill, there was absolutely no excuse not to work, unless you on the verge of dying.

I reach a breaking point in my life when I did not care what happened to me. If I had a weapon, I would kill the Japanese guard and hope that I would be able to run away and hide afterward.

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# We nearly starved to death at that time.

Rosa Roberto Carter  
80 Years Old, Survivor



When Japan occupied Guam 62 years ago, I was 12 years old, the oldest child in our family. My mother would have another child during the occupation, and her last one after the war, for a total of nine of us who made it through childhood. In regard to physical damage from the war, I am sure the effects of malnutrition on my parents, as well as nine of us kids, was severe in both the near term and over the following years.

There's no way to know all the negative effects of the two years of malnutrition we were forced to experience during the occupiers who confiscated our food for themselves. In the last two weeks, they forced us into more difficult situations involving a forced march and virtual imprisonment in a squalid camp, where there was no food at all. We older kids foraged for our family, searching wild lands for many miles. We nearly starved to death at that time.

In regard to immediately visible physical damage, most of us suffered wounds from being forced into the jungle, where we contacted scarring napalm from the United States bombing of the Japanese. When the bombing stopped, we were forced to go back to clearing bushes, which were dripping with this napalm. And in a proper setting, I could show you some scars, which have irritated

me for 60 years. One of my brothers lost parts of two fingers, as well, from the live ammunition scattered over so much of Guam after the fighting in 1944.

And at one time, I found myself clinging to a large breadfruit tree while American planes attacked. Human limbs, arms and legs, flew through the air on their own. People screamed in the grip of hysteria. I saw people going berserk.

My own forced labor consisted, at first, of clearing fields in the Mangilao area. My brother Juan was also forced to do this too. At this time I was singled out by the Japanese soldiers, locked up in a tiny room at the old Price Elementary school house, and interrogated about my loyalty to the United States. It may have had something to do with my slightly lighter skin color, but the terrifying experience is still vivid in my mind. Also, at this time, I was given the extra duty of carrying their lunches to Japanese soldiers located at the present site of the Father Duenas Memorial School.

Our forced march started for me late one afternoon, when my brother and I returned from working in the fields to find my parents and my siblings loading our bull cart with as much food and personal belongings as possible. People congregated at the

Mangilao school areas, where the trek to Manenggon concentration camp started around twilight. We trudged along on foot all night. Weak people fell by the way side. I do not know what happened to them.

In regard to the constant terror of being an occupied people, earlier in Mangilao, many of us were forced to line up in orderly rows to witness the beating of a family for the crime of trying to hide some of its food from the Japanese occupiers. If we showed any emotion, we would have been beaten too. We practiced a code of silence because that means collaborators might be anywhere at any time.

Near the end of the war out here in Guam, because tomorrow men were being forced to the front lines where they were to be sacrificed as human targets, my father went into hiding. As a survivor, immediately he led his entire family back to Mangilao. The regimentation of our lives extended to digging our own graves in the last days at Manenggon.

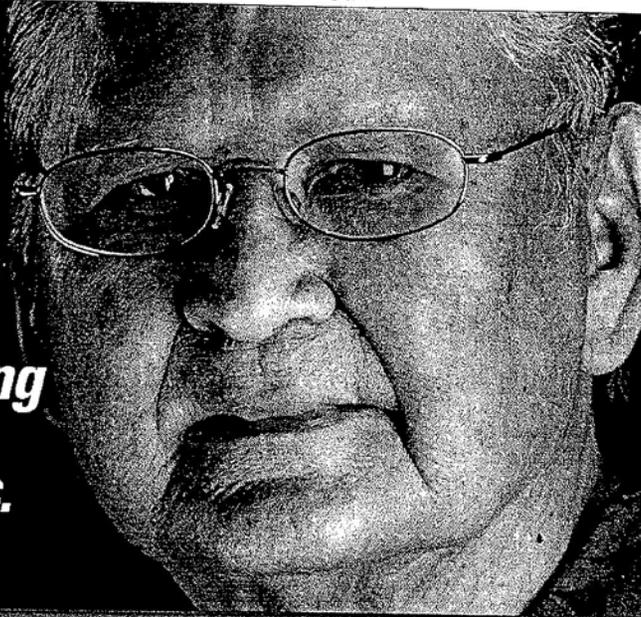
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# I have nightmare remembering the torture and killings.

**Juan Martinez Unpingco**  
85 Years Old, Survivor



My name is Juan Martinez Unpingco. I am 79 years old and blessed with eight children.

In the morning of December 8, 1941, Japanese war planes came to Guam and started bombing and shooting Sunday in the city of military installation headquarters in Agaña. I went home immediately and found all my family packing and ready to go to Barrigada and hide there.

I was made to work by force at Mangilao field digging soil all day to find and collect manganese and, at the end of the day, turn it over to the Japanese soldier. I was forced to work with my family. My mom and sisters went to Mangilao field tilling the soil and clean the bushes for farming. My dad, my brother were working at Jalaguag air base and Japanese plane in land. At night, planes appeared from nowhere and began shooting and bombing, shot fire from all direction. Me and my fellow workers were so scared that we run for our life and hide in the bushes until the war planes left.

Then the Japanese soldiers call us back to work and repeated fill the holes and they were bombed. We seldom go to the other village and to Agaña because we were afraid that we might meet Japanese soldier who were so mean and brutal. I have seen them slap our people with them and even stab people to death with their bayonet. They were ruthless and they have no regards to the value of human life. Then one day the Japanese soldiers came to our ranch destroying things and terrorizing us. We were so scared, especially when the same soldier rape

my auntie Margaret.

One day the Japanese soldier armed with rifle and an interpreter telling to forcing us to march to Manenggon concentration camp. We have to carry whatever we can and when we marched the rain came down, and all of us were wet, but we can't stop walking. I can hear babies and children crying and some old people moaning due to the hunger and tiresome march.

If you stopped to rest, you'd be whipped and beat. These were the march when my father got whipped — oh boy he was really whipped had no reason, apparent reason. He was whipped with tañganagan stick five feet long, one inch thick, my dad was whipped so severely until his body was swollen, lacerated, covered with matted blood and bruises.

The beating took so long, so the soldiers took turns beating him. When the beating was finished, my father went to the nearby river and soaked his wounds for two hours to lessen the pain, swelling and bleeding.

When we came to the concentration camp, we built our tent next to it a hole which already dug four feet by six feet deep. We already knew that the hole was used for a graveyard for a massacre. One day I went to find food and found a big tree, breadfruit tree. I climbed the tree and picked so many breadfruit and carried it in my burlap sack to the concentration camp. Before I entered the village, I was stopped by a leader taicho and show him the breadfruit. They took the largest and left the ones for me.

He left me with less than the sack and then I took it to my mom.

But a short time later, my mom was crying and lying down when she scold me and said, Johnny, look what the Japanese soldier did to me. She was brutally whipped and all her body was swollen. There were bruise and clot. I put wet cloth around her body to lessen the swelling and the blood clot and told her to stop crying. She made me promise that I will not do anything drastic to avenge her beating.

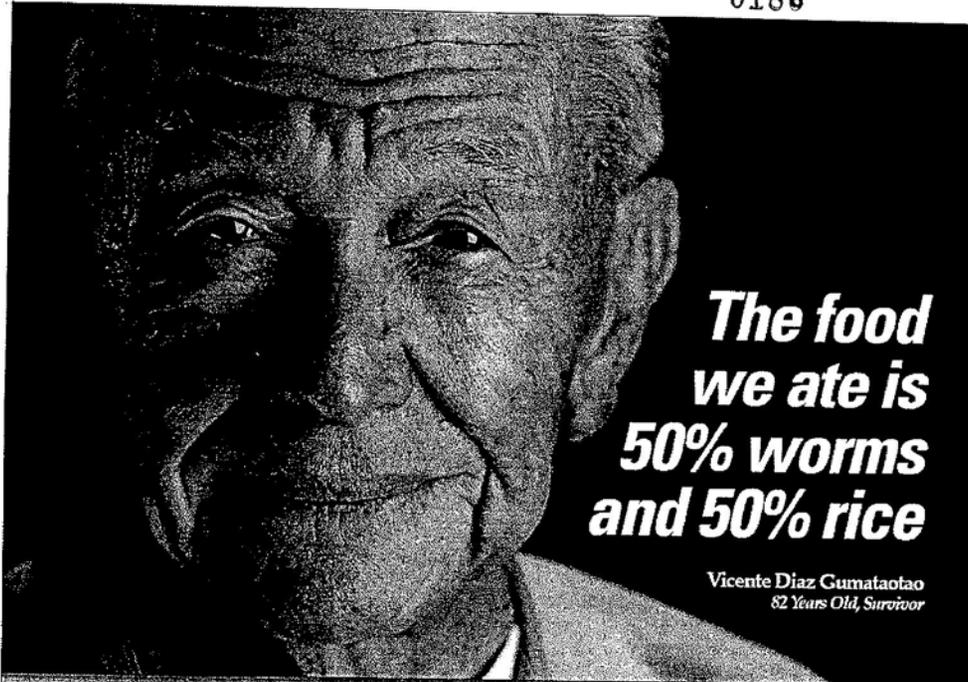
One day we were rounded up and told to carry a box of bullets and one going up to the southwest and the other group heading north. My dad and brother went to south. It was this time that I run away and hide in the jungle. I keep on moving and hear later from somebody's family that the group that headed north to Yigo were beheaded after they were carried box of bullets and supplies to the guard post.

Our people, as well as my family, endured so much hardship, pain and agony and torture. There are times I have nightmare remembering the suffering and torture and the killing that I witnessed as a young man. I still remember the mangled bodies with worms and flies feeding them.

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**The food  
we ate is  
50% worms  
and 50% rice**

Vicente Diaz Gumataotao  
82 Years Old, Survivor

At 14 years of age, on the 8th day of December 1941 while working for the Enlisted Men's Club that morning, the Marine barracks was first bombarded by the Japanese.

Every day that I see Japanese, they'll beat me up. Either they wring my ear or they knock my head. But, they took us to be slave, forced labor, more likely, in a rice field, cornfield and potato, and sweet potato field; they worked 12 hours a day.

Out of 36 of us, I really feel sorry for those 35 because I'm the only survivor.

There was a lot of atrocities and I witnessed a lot of things that were happening in Guam, like the Late Frank Won Pat, when he was beheaded

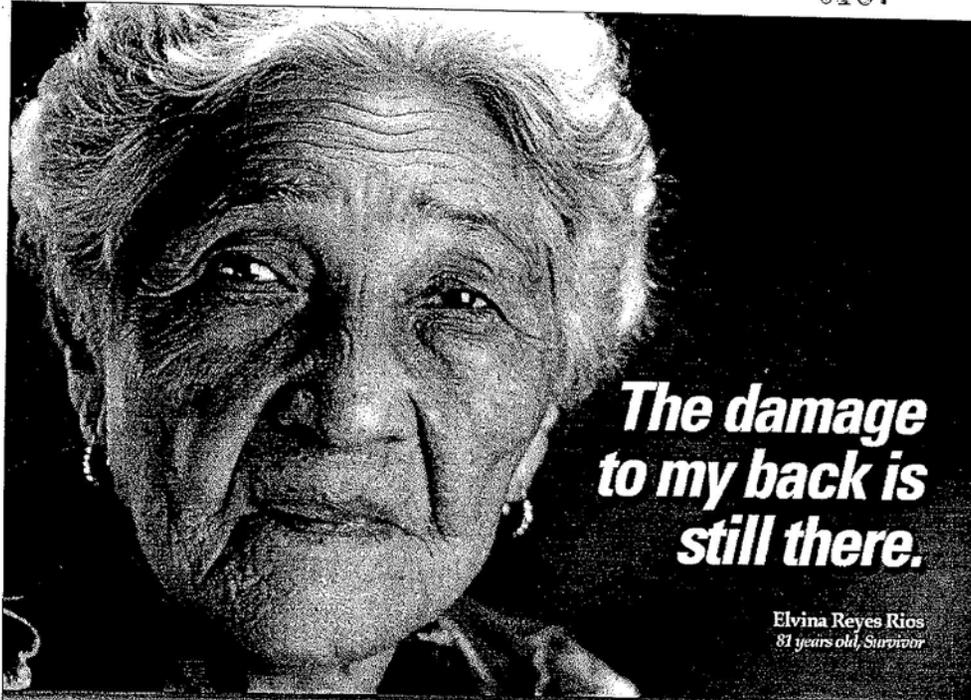
at Pigo', I was there, it was the first person that was beheaded by digging his own grave and they won't waste a bullet for him to be killed. He had to be beheaded by a sword.

At Orote Point, the food that we eat over there is 50% worm and 50% rice. It's all rotted rice. We have to eat because we're starving.

I asked for my machete back, they beat me up until I was unconscious. When I got up, I don't even know where I'm at. That's the worse experience I ever had.

It's a horrible experience that I have been through. But I'm not the worst. There are a lot of people here that are worse than I am.

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**The damage  
to my back is  
still there.**

**Elvina Reyes Rios**  
81 years old, Survivor

Good day to all of you especially the panel and Mrs. Bordallo and all the visitors. I am Elvina Reyes Rios and I am from Agat. I am living in Agat at the time of the war. I was 13 years old at the time of the Japanese. I was made to work in the rice fields. I was made to work in the garden in Agat. They took me to Jalaguag. They made me borrow...

I was made to work by the Japanese. I was only 13 years old at the time. I was living in Agat with my parents. I was made to work in the rice field. I was made to work in Piti planting rice. I worked in the village of Agat to be in the garden. I was made to work in Jalaguag. The damage on my back is still there because when I was busy clearing land and I would stretch my body, the Japanese would throw rocks at me. It is still there on my back. When I was done working in Jalaguag clearing the air field, I was taken to Fena from Nimitz Beach. I walked from there at 2 in the morning after being roused from sleep by my mother to get ready to go to work. I'd get to Fena at 6 in the morning and if I was late at least one minute, I would get one slap on my mouth. For three minutes, it was three slaps on my mouth. When I am done in Fena, I would grate 125

coconuts. I would get off at 6 pm and by the time I got home to the ranch at 9 at night.

I was always by myself in the jungle. There was no road, no people on the road, only myself all alone. When I got to the ranch, I'd tell my mother about how scared I am by myself. She'd always plead for me to go or else we'd get beheaded if you don't work.

If I tell the Japanese that I don't feel well they'll touch me to see if I have a fever.

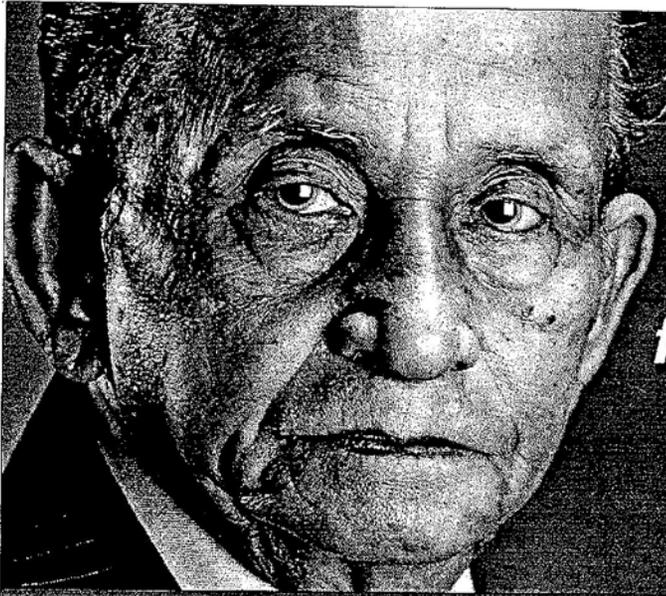
You women here, you know that something visits us every month then I don't like telling them that I wasn't feeling well because of that and then they'll just tell me to go to work whether I like it or not. I get sick from stomach cramps and I'd tell my mother I didn't want to work but she'd tell me about us being killed if I didn't work.

I am sorry. I cannot say anymore.



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**He hit me  
with a big  
stick. My  
left index  
finger was  
severely  
injured.**

**Joseph Crisostomo Aguon**  
*79 year old Survivor*

My name is Joe Crisostomo Aguon from Barrigada.

Father Roman told us that the people - that the Japanese had bombed Sumay. We went home, and my parents were ready to leave our home in Agana for the ranch. I took my youngest brother, Tony, and he was only one year old. I carried him on my back to the ranch in Barrigada, where we stayed for 62 years, remained there in Barrigada for 62 years.

On December 10, the Japanese government ordered the people of Guam to obtain a pass to Agana. So I went to Agana with my parents, Mr. and Mrs. Juan S. Aguon, both deceased, and my brothers and sisters, Danny, Raymond, Eddie, Lola, Menang and Laling. I'll mention all my brothers still alive at this time. To obtain this pass, this pass allowed you to travel throughout the island and without question.

Without this pass, you will be in trouble by the kempetai, those are the police. During this period of time, I and my other brothers and sisters, except the youngest one, Tony, who was only a baby at the time, attended a Japanese school in Maugilan which now we call Price Elementary School. In school, I was constantly slapped and kicked by my teacher, called sensei, for not bowing my head to the Emperor of Japan, Hirohito.

In late 1942, I was forced to work at the airport, now called Tiyan or NAS Agana. My job was to dig and sometimes carry water for the Japanese Soldiers. At the end of the day, we were getting a handful of rice as our payment. Later in the year, I was assigned to work in Canada, Barrigada as a mess boy. Again, I was transferred to work in Ordot digging tunnels. To dig tunnels, and if the Japanese were not satisfied, we were told to line up face-to-face and slap one another.

When my turn came, I refused to slap the old man facing me. I was hit by the Japanese guard holding a stick. The man whispered, go ahead and slap me. I will understand. In 1943, I was back working at the airfield base in NAS Agana, and in one occasion, I was at the job site watching the dog fight between the American airplanes and the Japanese.

I was caught by this Korean guard, called Choseng, at the job site, and he hit me with a stick, big stick. My left finger index was severely injured. The bone has healed up on my left index finger after many years later, but yet still, at the present time, I could not close my left index finger to make a fist.

The same year, I was riding on the back of a Japanese truck with a group of people to work at the airfield base when

suddenly the two-by-four to which I was sitting in the back of the truck hit a tree and threw me 5 to 10 feet to the ground.

Returning home from work at the airfield base, three Japanese soldiers came to the house armed with rifles and took my father for questioning. My father was accused of hiding and feeding George Tweed, an American radioman, Navy, who took to the jungle rather than to surrender to the Japanese. My father, Juan Santos Aguon, as I understand, was beaten by the Japanese, by the kempetai.

In the early part of 1944, we were forced to march from our place in Barrigada to the concentration camp in Talafofo in Manenggon. We were all in constant fear for our lives knowing that the Japanese had killed some people in Merizo and other parts of the island and to massacre the people at the concentration camp here in Manenggon.

We stayed at the camp up until the American forces recaptured the island of Guam on July 21, 1944.



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This ad paid by the community involvement of Cabras Marine Corporation.

**REAL PEOPLE. REAL STORIES.** A weekly testimonial series provided by the Office of Senator Frank F. Blas, Jr. The testimony of Joseph Aguon is recorded in the Guam War Claims Commission public hearing held in Hagatna, Guam on December 8, 2003. Photo courtesy of Expressions Studio.



Office of the Governor of Guam

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Felix P. Camacho  
Governor

Michael W. Cruz, M.D.  
Lieutenant Governor

28 JAN 2010

The Honorable Ray Mabus  
United States Secretary of the Navy  
Office of the Secretary of the Navy  
2000 Navy Pentagon  
Washington, D.C. 20350-2000

Dear Secretary Mabus:

*Hafa Adai!* The Government of Guam continues to work diligently to prepare an official response to the U.S. Marine Corps relocation Draft Environmental Impact Statement (DEIS) issued two months ago. I have been humbled by the interest and inspired by the passion displayed by the people of Guam in providing public comments to the 11,000 page document.

K-002-001

We are entering an exciting and important time in Guam's history. For over 100 years, the U.S. Department of the Navy has been an integral part of our island community. There is support of the relocation of U.S. Marines from Okinawa to Guam and overall support for the U.S. armed services. However, we must not overlook the reality that we have a fragile territorial economy, possess a limited amount of financial resources and lack the capacity to absorb the impacts of 20 years worth of growth in a five year time frame.

Article 2 of the Guam International Agreement clearly states that the U.S. shall take necessary measures for the re-location of the U.S. Marines, including funding for projects to develop facilities on Guam. In order to ensure that the Guam Military Buildup Program is fully implemented as planned, I ask that the Adaptive Program Techniques, identified in the DEIS, be used to extend the construction phase of the program. Use of the Adaptive Program Techniques will enable Guam to be better prepared for the impacts associated with Marine relocation while protecting the unit integrity of the III Marine Expeditionary Force. I believe that this request is consistent with the Guam International Agreement signed by U.S Secretary of State Hillary Clinton and Japan Foreign Minister Hirofumi Nakasone on February 17, 2009.

I believe that by working together through deliberate actions, that we can ensure that the concerns of this patriotic American community in the Western Pacific are addressed as we pursue work toward Guam's promising future for Guam and the protection of democracy in the Asia-Pacific Region.

K-002-001

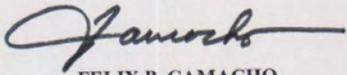
Thank you for your comment. DoD recognizes the importance of managing the proposed military relocation to reduce adverse effects on the people of Guam, its natural resources and infrastructure. The EIS process identifies ways to implement the proposed relocation while minimizing adverse impacts. DoD will continue to work to ensure that the short term impacts of construction are managed effectively and that the long term effects of the military relocation reflect DoD policies to be good neighbors and responsible citizens on Guam.

The DoD has kept the public informed as required by NEPA, which includes holding public scoping meetings and public hearings and allowing the public to comment on the Draft EIS. DoD has had ongoing discussions with Cooperating Agencies (those federal and local agencies with special expertise or regulatory oversight) throughout the preparation of the Draft EIS and will continue these discussions with agencies through the completion of the Final EIS. As part of the engagement with Cooperating Agencies, they were asked to conduct an early technical review of the partially completed Draft EIS in late July 2009. The DoD has also met with elected officials and community leaders. The section in the EIS addressing the adaptive techniques you refer to (Volume 7, Section 2.4) has been updated based on public and agency comments on the DEIS, results of further agency coordination, and additional information and analysis available post-DEIS. The section has been clarified to indicate that the primary role of the mitigation measure is to adjust construction tempo and sequencing as needed to avoid environmental impacts, particularly impacts to infrastructure. These adjustments would be informed by an interagency council including GovGuam, USEPA, GEPA, GPA, and GWA. A notional scenario has been added to the description of the mitigation measure. The notional scenario identifies how implementation of the mitigation measure may reduce population during construction. The section has also been updated to identify other benefits to other resources that could result

Letter to Secretary Mabus  
Page 2 of 2

I humbly request that all actions related to the Guam Military Buildup Program be delayed to beyond 2014 to protect the unit integrity of the III Marine Expeditionary Force and ensure that impacts are minimized to our island infrastructure and socioeconomic services.

Sinseru yan Magahet,



**FELIX P. CAMACHO**  
*I Maga' Lahan Guahan*  
Governor of Guam

from implementation of the mitigation measure. Additionally, as a result of the NEPA environmental review process, a further mitigation measure is proposed in the FEIS to reduce the force flow (pace of the arrival of Marines and their families). This additional mitigation measure is described in Volume 7, Section 2.3. The DoD is prepared to implement both mitigation measures.

With respect to funding for projects to develop facilities on Guam, many of the proposals for utility and roadway improvements in the EIS would benefit the community of Guam. There are funding opportunities that are outside of DoD direct control and these are not within the scope of the EIS, for example the funding for Port Authority of Guam port improvements. The EIS does propose that DoD assist GovGuam in obtaining additional funding. These mitigation measures that are outside of DoD direct control and identified during that NEPA environmental review process are included in the comprehensive list of mitigation measures in Volume 7, Chapter 2.

1                   **COMMENTS BY MAGA LAHI MAGA ANITI**

2

3                   MR. MAGA ANITI: Hafa adai. My name is

4 Maga Lahi Maga Aniti, the Intermediate Prime

5 Minister of the Republic of the Sinahi

6 Archipelago. I have declared independence.

7 Now, all of you here, I heard good speeches.

8 America is going to do what they want, when

9 they want, as they please, when they please. I

10 mean, it's right in front of our faces, we see

11 it. We're not blind. But we have been so

12 educated not to believe in ourselves, we have

13 been so led to believe that we are nobody, we

14 have no natural resources, someone said we are

15 going to be a third-world nation. Well, we're

16 a property. It's better to be a third-world

17 nation than to be a property. For no one in

18 this room who is a registered voter in Guam, is

19 a US citizen. Not even the senators who are

20 here tonight. Not one of them is a US citizen,

21 not one of you is a US citizen. I have

22 declared independence, for I am tired of being

23 a property of the United States of America.

24 That's what we are, the children is a property

25 of the United States of America. Everybody in

K-003-001

**K-003-001**

Thank you for your comment. Topics such as war experiences, war reparations, and veterans benefits are important issues but are not part of the proposed action. Comments related to these issues were numerous and indicate underlying social and political dissatisfaction with a broader range of federal-territorial relations outside the scope of DoD legal authority. The various EIS public engagement forums provided an indirect avenue for informing local and federal policy-makers of issues that are important to a significant segment of the community.

**DEPO RESOURCES**  
George B. Castro  
**Court Reporter**  
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K-003-001

1 this room, everybody on this island is a  
2 property of the United States of America.

3 Now, I declare independence, I'm  
4 declaring independence, and yet I say this is  
5 our island. My question is, who pays property  
6 tax? What laws must you obey? Isn't that  
7 defined as slavery when we have no rights to  
8 the US you must obey and then Abraham Lincoln  
9 in 1860 abolished slavery? That's United  
10 States history, 1860 Abraham Lincoln abolished  
11 slavery.

12 Yet, in Guam, slavery survives, but the  
13 only difference is, we get a two-week paycheck.  
14 So, our belief today, liars, we cannot survive  
15 without America because why? Oh, where's the  
16 money? It's all about money. How about the  
17 children? Look around you. Guam was invaded  
18 in 1940 -- 1941 actually. But it was invaded  
19 by Japan, why? Because America was in Guam.  
20 Hawaii was bombed, it was never invaded, it was  
21 bombed. Guam was invaded, occupied for two and  
22 a half years and now when they came back to  
23 Guam in 1944, they bombed this island for 17  
24 days straight 24/7, they -- they used over 400  
25 tons of bombs and killed our people, because

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107

K-003-001

1 the order was to flatten the rock.  
2 Now, this is the people we're obeying,  
3 this is the people we are honoring, the people  
4 who have tried to kill all of us? I say,  
5 "Yankee go home." I say independence, I say  
6 declare independence like they did in their  
7 declaration of independence. Why can't we?  
8 Oh, cannot.  
9  
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1                   **COMMENTS BY MR. FRANK BLAS, JR.**

K-004-001

2  
3                   MR. BLAS:    Good evening to everybody,  
4 my name is Frank Flores Blas, Jr. and I'm a  
5 resident of Barrigada and a proud son of Guam,  
6 and this is my testimony.  In 2005, during the  
7 initial discussions, during the anticipated  
8 military build-up, I had the opportunity to  
9 speak with the Air Force Lieutenant General  
10 Daniel Leaf on the need to address the quality  
11 of life issues for the people of Guam in order  
12 to gain it's acceptance by the people.

13                  Two issues directly related to the  
14 quality of life for our people are war  
15 reparations and the amounts spent by the people  
16 of Guam to provide services relating to the  
17 compacts of free association.  We were informed  
18 then that those matters as well as any other  
19 unresolved issue that didn't relate to the  
20 construction of the need in military facilities  
21 would have to be brought up with other federal  
22 entities other than Department of Defense.

23                  In conversations I have had with other  
24 JGPO officials, they too further related that  
25 the Department of Defense was in no position to

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**K-004-001**

Thank you for your comment.  Topics such as war experiences, war reparations, and veterans benefits are important issues but are not part of the proposed action.  Comments related to these issues were numerous and indicate underlying social and political dissatisfaction with a broader range of federal-territorial relations outside the scope of DoD legal authority.  The various EIS public engagement forums provided an indirect avenue for informing local and federal policy-makers of issues that are important to a significant segment of the community.

K-004-001

1 deal with Guam's unresolved issues and that  
 2 DOD's plans relating to the military build-up  
 3 will be presented and discussed in the DEIS. I  
 4 was also informed that all of the issues were  
 5 important, they had no relevance to the task  
 6 they were directed to perform. I believe that  
 7 before we can have any meaningful conversation  
 8 concerning the impact of the proposed buildup  
 9 we'll have in our island, or the requirements  
 10 needed to be fulfilled in order to accomplish  
 11 this action, Guam's unresolved issues  
 12 pertaining to war reparations, compact impact  
 13 reimbursement, the return of excess land, the  
 14 unfitted access to private lands blocked by  
 15 federal installations, political status and  
 16 true representation in congress, have to be  
 17 addressed and determined.

K-004-002

18 In Chapter 3 of Volume 7 of the Draft  
 19 EIS, more specifically on Page 3-55 under the  
 20 subheading Socio-cultural Impacts, it states  
 21 and I quote, "The political importance of some  
 22 Chamorro issues will likely recede as the  
 23 militarization of Guam is stabilized at  
 24 something close to present levels." I find the  
 25 statement both disturbing and highly offensive

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**K-004-002**

Thank you for your comment. Edits have been made to the FEIS as appropriate.

K-004-002

1 as to suggest that the promised economic  
2 activity is as a result of the buildup will  
3 cause us to forget the sufferings and the  
4 killings of our people because of their loyalty  
5 to the United States Government during World  
6 War II. These people may not be able to be  
7 around to see and enhance or to view the  
8 economic activities that can have enhancement  
9 that are promised in 2014. I don't appreciate  
10 the suggestion that we will forget the hundreds  
11 of millions of dollars that we have to spend to  
12 fulfill the mandate imposed upon us as a result  
13 of the compacts of free association.

14 Your promise of an economic activity  
15 does nothing for the many people who had their  
16 lands taken from them for military purposes,  
17 only to see that does lands now sit dormant and  
18 selfishly held for no compelling reason. And  
19 like your forefathers who established the  
20 United States of America because they firmly  
21 believed that it was unconscionable to have no  
22 representation in a parliament that was making  
23 decisions for them without their  
24 representation, I am offended that you would  
25 all believe that the militarization of Guam

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K-004-002

1 will cause me to continue to accept my status  
 2 as a third class citizen and let you continue  
 3 to impose your will without discussions with  
 4 me, or maybe this is part of your plan.

K-004-003

5 In the same chapter of the same volume,  
 6 but now on Page 3-64 under the subheading,  
 7 "Chamorro Issues," it states, I quote, "Guam's  
 8 indigenous Chamorro population has strong  
 9 concerns about whether incoming military  
 10 populations would recognize them as both  
 11 American by nationality and also a unique  
 12 ethnic culture worthy of respect and  
 13 preservation." It goes on to say, "However, an  
 14 expansion in non-Chamorro voting population  
 15 could eventually affect the proportion of  
 16 Chamorro office holders and government workers,  
 17 thereby, affecting the current government  
 18 budgets and activities dedicated to cultural  
 19 issues and practices. It could also affect  
 20 outcomes of any future plebiscites above Guam's  
 21 political status." What are you telling me?  
 22 Is part of your military buildup plans to  
 23 inundate our island with people who have no  
 24 appreciation or consideration of our culture  
 25 and beliefs, so as to derail us from our

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**K-004-003**

Thank you for your comment. This possibility of new U.S. residents to vote has been responded to above.

The population estimates in the Draft EIS were based on the maximal scenario. The year 2014 includes the foreign worker population on Guam as well as the military and their dependents. However, after 2017, the population increase (from the 2010 baseline) would be approximately 33,500 (maximal scenario) primarily because the foreign worker population would leave Guam. The EIS identifies a number of significant impacts to Guam and its resources; this is summarized at the end of various impact chapters in volumes 2 through 6. Impacts to the Chamorro people are also addressed in the Socioeconomic Impact Assessment Study (SIAS) that is Appendix F, Volume 9 of the Final EIS. Chamorros, although considered a minority population in comparison to the U.S. as a whole, represented over 40% of Guam's population in the 2000 U.S. Census. Chamorro concerns involving political autonomy are impacted by the potential increase in non-Chamorro populations due to the buildup, increasing the likelihood of more non-Chamorro local political office-holders. More non-Chamorro voters would decrease the possibility of Chamorro political self determination. They would also decrease the possibility of successful plebiscites to achieve greater independence from U.S. control.

More information on this topic can be found in the Environmental Justice and the Protection of Children chapters of the Final EIS, specifically, Chapters 19 in Volumes 2, 3, 4, 5, and Chapter 20 in Volume 6, and under cumulative impacts (Chapter 4) of Volume 7.

K-004-003

1 inherent and moral responsibility to protect  
2 our homes and our dignity? Do you firmly  
3 believe that we are going to sit back and let  
4 you take over our lives and force us to forget  
5 who we are and where we came from? That's  
6 never going to happen.

7           Media reports state that in a few hours  
8 the Secretary of the State is going to be a  
9 meeting with the Prime Minister of Japan in  
10 Hawaii to talk about the base, the relocation  
11 of the Potemkin Air Base and the relocation of  
12 Marines to Guam. Why couldn't that  
13 conversation happen here? Why couldn't they  
14 talk about it here? You don't have to include  
15 us in the conversation but be here, be here for  
16 its significance and importance. Why are you  
17 having it over there?

18           I've always said that before we have  
19 any discussions with what you further want to  
20 do on our island, we first deal with those  
21 issues that have been unresolved for too many  
22 years. Although it had been initially stated  
23 that those issues were not relevant nor  
24 connected to the buildup, the statements made  
25 on pages 55 and 64 just made their relevance

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K-004-003

1 very significant. You open the door on this  
2 and now, we're not going to let it go. Where I  
3 have said, now I demand. Before you tell me of  
4 your plans to widen my roads, lease my  
5 properties, strain my healthcare system or  
6 overcrowd my schools and how you intend to help  
7 me help you. Deal with our issues first then  
8 come back to me with your EIS. Thank you.

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Senator Judith Paulette Guthertz, DPA  
Assistant Majority Leader



*I Mina Trenta na Liheslaturan Guahan*  
Thirtieth Guam Legislature

CHAIRPERSON, COMMITTEE ON THE GUAM MILITARY BUILDUP AND HOMELAND SECURITY  
155 H. Ska Base, Hagatña, Guam 96910 • Phone: (671) 434-1118/8310 • Fax: (671) 478-5547 • juda@dc30thguam.gov

February 2, 2010

Major General David Bice, USMC (Ret.)  
Executive Director  
Joint Guam Program Office (JGPO)  
PSC 455 Box 152, FPO AP 96540-1000

Dear General Bice:

**GUTHERTZ COMMENT PAPER ON SOCIAL AND CIVIL INFRASTRUCTURE  
ARRANGEMENTS**

**AN OFFICIAL COMMENT FOR THE DRAFT ENVIRONMENTAL IMPACT  
STATEMENT (DEIS)**

ISSUE: The DEIS does not provide for any Social and Civil Infrastructure arrangements.

K-005-001

**BACKGROUND:**

In the Technical Agreement to the Covenant establishing the Commonwealth of the Northern Marianas there is a PART III. SOCIAL AND CIVIL INFRASTRUCTURE ARRANGEMENTS. It contains "provisions, unless modified in writing by mutual agreement of the duly authorized representatives of the United States Government and the Government of the Northern Mariana Islands, will govern the future relations between the United States military forces in the Northern Mariana Islands and the civil authorities thereof. Coordination of these arrangements will be accomplished through a Civil-Military Advisory Council organized as soon as required after implementation of this Agreement."

The provisions are described in detail, for the following topics: Civilian Responsibilities; Fishing and Shoreline Activities in Tinian; Tinian Beaches; Utilities; Water; Medical Care; Fire Protection; Base Exchange, Commissary and Movies; Schools; Assistance to the Community; and Economic Opportunity. Part III of the Technical Agreement is attached for information. The provisions are most interesting.

K-005-002

The Civil-Military Advisory Council (CMAC) has been a regular mechanism over several of the years for consultation and coordination between the military and the CNMI Government, meeting with an agenda, action items assigned, and joint deadlines established.

Guam does not have the equivalent. Nowhere in the DEIS is an infrastructure for coordination and consultation provided. The Governor of Guam has established, by

**K-005-001**

Thank you for your comment. The proposed action is consistent with the conditions of the Technical Agreement. Many of the conditions are not applicable to the proposed transient military personnel presence on Tinian that would participate in expeditionary training.

**K-005-002**

Thank you for your comment. DoD will continue to work closely with you and other stakeholders to minimize the impacts of the proposed military relocation program.



Comment from Sen. Judith Guthertz  
February 2, 2010  
Page no. 2

K-005-002

Executive Order, a Civilian-Military Task Force (CMTF) Council with membership of the military, the Legislature, and the public. Eleven sub-committees of that Council were formed, again having wide open membership including public and military participation.

Concurrently, in December, 2008, the Guam Legislature enacted into law P.L. 29-128, by a veto override, establishing the "Guam First Commission," which would bring the various elements of the civilian community together in a Commission, headed by the Governor, to engage the federal government on an entire spectrum of issues. The CMTF is codified under P.L. 29-128, and is tasked with continuing the work it has accomplished regarding the buildup. The Governor has refused to implement the law, and the CMTF's last meeting was held on October 18, 2008.

A mechanism is needed to bring military leadership together with civilian leadership to work civil-military matters localized in Guam, and I believe this mechanism should be one of the functions of the Guam First Commission. This mechanism would cover the on-going civil-military relationship after the buildup is completed. While a subset under the Guam First Commission, this mechanism would have a separate but compatible mission.

K-005-003

There will be a myriad of issues that will arise between the two communities. For example, the drinking age is 21 inside the fences, while it is 18 in Guam. Issues are certain to arise regarding DUIs, as the young servicemen attempt to get back to their base safely after having fun downtown. The DEIS does not address this disparity between drinking ages. The age difference is non-existent in Tinian, where the drinking and gambling age is 21, the same as the drinking age established by the OPNAV Instruction 5350.4D, section 6, from the Chief of Naval Operations, unless the military base is in a foreign country. For example, the drinking age on and off base in Okinawa is 20.

The DEIS, in Volume 2, Section 16 and Section 18, only gives a surface, sketchy look at public services and vehicle accidents. The recommendations for mitigation are merely a standard list of the obvious steps such as providing free rides to and from the base and educational campaigns. These steps will be insufficient because of the drinking age difference.

As a former Director of Public Safety and Acting Chief of Police, I am well aware of the situation we will be facing. Like all young men of their age, Marines will be trying to attract young civilian women. Combine that with drinking around a pool table with cue sticks and hard billiard balls readily available, and the situation can become very volatile. One solution is to have joint Civilian-Military Security Patrols throughout the bar areas, as has been done in Guam in the past. Another solution is to have a dedicated phone number for the bar owners to inform the security people of an impending incident.

Another issue is the sex industry. We have already heard word that such establishments may situate themselves along Route 3 across from the main cantonment. The Marine

### K-005-003

Thank you for your comments and recommendations relating to crimes and the disparity of the drinking age in Guam (18 years) and on the base (21 years). As you recognize, any increase in population, such as the one that these proposed actions would cause, may be accompanied by an increase in overall crime and social disorder. The DoD also acknowledges that widely publicized instances of military crime in Okinawa cause Guam residents to be concerned about possible repercussions on the island brought about by the increase in military population on Guam. DoD has studied these issues in a specific appendix included in the EIS (Social Assessment Impact Study). The increase in population during the construction phase of the build up is recognized as a time for concern for increases in incidents of crime. Moreover, it is also acknowledged that the age group of many military personnel is often characterized as prone to conflicts and misbehavior. DoD educates its service men and women on good behavior and will act promptly and rigorously to curtail any misconduct and enforce laws to protect the citizens of Guam and our military personnel.

Text has been added to the Final EIS to include other possible mitigation measures such as having civilian-military security patrols in high incident areas (e.g., bar/club areas) and establishing a dedicated phone number to inform security personnel of an impending incident.



K-005-003

Corps, of course, is opposed to this and does not want local zoning to permit it just outside the family-oriented base. This would be an issue for discussion and coordination between the military and civilian leadership in Guam.

K-005-002

On the military side, a billet for Civil-Military Affairs was established in 1974 on the staff of the Commander, Naval Forces Marianas. This billet disappeared a few years ago. Now, there is a community relations person handling matters such as the sister village and sister school programs. This is needed, but a qualified staff assistant is also needed to be a continual liaison to the Governor's staff, the Legislature, and the Mayor's Council to enhance communications and to advise the Commander on civil-military matters.

#### PROPOSAL:

I propose that a Civil-Military Advisory Council (CMAC) for Guam be established by the Secretary of Defense and the Governor of Guam, to be a part of the Guam First Commission. The military membership should be designated by the Secretary of Defense, while the local membership should be appointed by the Commission. The Council would be tasked to work the routine civil-military local issues in a structured and regular basis. By this I mean that it would be mandated to meet at least once monthly and have a previously agreed upon agenda, that it be co-chaired by the Commander, Regional Forces Marianas and the Governor of Guam, that tasks and deadlines should be developed for various issues by mutual agreement, and that sub-committees may be appointed. The officer on the Commander's staff responsible for civil-military matters and the Governor's staff assistant for military matters would be the secretarial staff for this CMAC.

I propose that the commission be limited to six members for the civilian side and six for the military side. The civilian side should include at least one representative of the Legislature. The membership should ensure balance and efficiency, which is important because it must result in high-level decision-makers sitting at the table addressing local issues.

In addition to this infrastructure, I also propose that the directive, signed by both the Secretary of Defense and the Governor of Guam, provide that a "Leaders Lunch" take place at least once monthly. Included in this top-level luncheon should be the heads of all three branches of Guam's government; Guam's top military commanders from each branch of service; and others from the civilian community selected for their areas of expertise. The goal of the luncheons will be simple: to achieve what was so elegantly articulated by Assistant Navy Secretary Natsuhara: "... we are committed to one Guam, whole government approach. This realignment should benefit all of us. By working together across the federal and local governments, you can be assured that it will be."

#### CONCLUSION:

This proposal will enhance civil-military relations and provide a mechanism for addressing the myriad issues that will arise between the two communities. I



Comment from Sen. Judith Guthertz  
February 2, 2010  
Page no. 4

K-005-002

recommend that this proposal be incorporated into the EIS and that the Secretary of the Navy take immediate action, in coordination with the Governor, to implement it.

Senseramente,

Judith P. Guthertz, DPA  
Senator

- c: Barack Obama, President of the United States
- The Honorable Felix P. Camacho, Governor of Guam
- The Honorable Hillary R. Clinton, Secretary of State
- The Honorable Robert Gates, Secretary of Defense
- The Honorable Ray Mabus, Secretary of the Navy
- The Honorable Michael B. Donley, Secretary of the Air Force
- The Honorable Madeleine Z. Bordallo, Guam Delegate to Congress
- The Honorable Gregorio Sablan, CNMI Delegate to Congress
- The Honorable Ken Salazar, Secretary of the Interior
- The Honorable Benigno R. Fitial, Governor of the Commonwealth of the Northern Mariana Islands
- The Honorable Roger Natsuhara, Assistant Secretary of the Navy for Installations and Environment
- The Honorable Anthony Babauta, Assistant Secretary of the Interior for Insular Affairs
- Rear Admiral Douglass Biesel, U.S.N., Commander, Joint Region Marianas
- Brigadier General Philip Ruhlman, U.S.A.F., Deputy Commander, Joint Region Marianas
- All Senators, 30th Guam Legislature

# TECHNICAL AGREEMENT

REGARDING  
USE OF LAND  
TO BE LEASED BY THE  
UNITED STATES  
IN THE  
NORTHERN MARIANA ISLANDS

PUBLISHED BY THE  
OFFICE OF THE PLEBISCITE COMMISSIONER  
SAIPAN, MARIANA ISLANDS - MAY 1975

(3) Customs inspections of all persons, baggage and freight will be in accord with all applicable laws and implementing regulations with the general principle established that whenever and wherever possible this customs inspection shall be performed in the military area by customs inspectors arranged for by the military and in the civilian area by customs inspectors arranged for by the Government of the Northern Mariana Islands.

PART III. SOCIAL AND CIVIL INFRASTRUCTURE ARRANGEMENTS

The following provisions, unless modified in writing by mutual agreement of the duly authorized representatives of the United States Government and the Government of the Northern Mariana Islands, will govern the future relations between the United States military forces in the Northern Mariana Islands and the civil authorities thereof. Coordination on these arrangements will be accomplished through a Civil-Military Advisory Council organized as soon as required after implementation of this Agreement.

1. Civilian Responsibilities. It is understood that the Government of the Northern Mariana Islands has full responsibility for planning, as well as developing, all facilities and services for the Tinian civilian community.

2. Fishing and Shoreline Activities, Tinian.  
All shoreline areas in and around the northern two-thirds

of Tinian will remain open to fishermen at all possible times except for those limited areas that must be closed to comply with safety, security and hazardous risk requirements as may develop from either military activities or commercial activities.

3. Beaches, Tinian. Marianas citizens will have the same access to beach areas in the military areas of Tinian for recreational purposes as military personnel and their dependents. During times of military maneuvers, operations or related activity the use of certain beaches or areas of the beach will be restricted. Closure for such purposes, however, will be kept to a minimum consistent with military requirements in the interest of safety and security. Conduct of all personnel within the beach areas and use of these areas will be subject to applicable military regulations.

4. Utilities

A. Utilities planning will be undertaken for Tinian on an island-wide basis, taking into account reasonable projections of civilian population at the time development by the military becomes necessary. Planning accomplished by the United States will be closely coordinated with planning by the Government of the Northern Mariana Islands. The Government of the Northern Mariana Islands will bear the cost of civilian planning by either undertaking

the planning work or reimbursing the United States for planning services.

B. The Government of the Northern Mariana Islands will take necessary action to obtain such federal funds as are available for planning pursuant to the Housing and Community Development Act of 1974 and other relevant laws.

C. When utilities are constructed for military purposes the United States Government will make excess capacity of utilities available to the civilian community on Tinian on an appropriate fee basis if desired. Use of this excess capacity by the civilian community is to be without contribution into the development costs of the capacity, and the United States Government will not be expected to create or to insure any such excess capacity for the civilian community on Tinian.

D. When utilities are constructed for military purposes, additional capacity can be added subject to full payment for the incremental costs by the Government of the Northern Mariana Islands.

5. Water. Potable water will be made available to the United States military base by the Government of the Northern Mariana Islands at a mutually agreed cost.

6. Medical Care. In accordance with applicable guidelines and regulations, emergency care in military facilities established on Tinian will be provided by the

K-005-001

military to all residents of Tinian when available on the island. In addition medical care in military health facilities on Tinian on a non-emergency basis will be provided residents of Tinian where civilian capacity is non-existent, subject to the capacity and capability of the military and professional staff and availability of such Tinian military health facilities. Costs for all medical care will be at the prevailing reimbursement rates.

7. Fire Protection. When military firefighting facilities become necessary a mutual fire protection aid agreement similar to that type of agreement presently provided voluntarily by the military services in other locations will be entered into between the military facility on Tinian and the local community.

8. Base Exchange, Commissary and Movies. At such time as an operating base is established purchasing of commodities by the civilian community from the base exchange and commissary will be prohibited, but use of base movies by the civilian community as guests in accordance with existing regulations will be permitted.

9. Schools. Prior to the arrival of significant numbers of school age dependents of military personnel, appropriate local and federal officials will initiate such advance consultation and school development programs as necessary to secure federal assistance as may be required

for an integrated local school system adequate to provide for all stages of Tinian's development. The Department of Defense will consult with and advise the appropriate officials of the Northern Mariana Islands as soon as possible regarding such programmed arrivals.

10. Assistance to the Community. The United States Government will consider sympathetically all bona fide requests from the community or its residents for materials or technical assistance, from resources on the base, in the event local resources are insufficient to meet the community needs.

11. Economic Opportunity. To the extent practicable appropriate United States military and civilian authorities or contractors executing United States Government contracts will attempt to utilize the resources and services of people of the Northern Mariana Islands in construction, development, supply and maintenance activities in the Marianas. Further, United States military and civilian authorities will, whenever practicable, provide technical and training assistance to the people of the Northern Mariana Islands in accordance with applicable United States law to assist in their achievement of necessary skills.

#### PART IV. IMPLEMENTATION

This Technical Agreement will become effective

when Sections 802 and 803 of the Covenant come into force, subordinate formal implementing agreements are to be executed as soon as possible.

Signed at Saipan, Mariana Islands on the fifteenth

day of February, 1975.

FOR THE PEOPLE OF THE  
NORTHERN MARIANA ISLANDS

*Edward D.L.G. Pangolin*

Edward D.L.G. Pangolin  
Chairman, Marianas  
Political Status Commission

*Vicente M. Santos*

Vicente M. Santos  
Vice Chairman, Marianas  
Political Status Commission

FOR THE UNITED STATES OF AMERICA

*F. Hayden Williams*

Ambassador F. Hayden Williams  
Personal Representative of the  
President of the United States

Members of the Marianas Political Status Commission:

*Juan L. Cabrera*

Juan L. Cabrera

*Joaquin I. Pangolin*

Joaquin I. Pangolin

*Vicente T. Camacho*

Vicente T. Camacho

Felix F. Rabeuliman

*Jose R. Cruz*

Jose R. Cruz

Oscar C. Raza

*Bernard V. Hofschneider*

Bernard V. Hofschneider

Manuel A. Serran

*Benjamin T. Manglob*

Benjamin T. Manglob

Juanita R. Taimano

*Manuel F. Raza*

Manuel F. Raza

Pedro A. Tenorio

*Dr. Francisco T. Palacios*

Dr. Francisco T. Palacios

February 4, 2010

JGPO c/o NAVFAC Pacific  
258 Makalapa Drive, Suite 100  
Pearl Harbor, HI 96860-3134  
Attention: GPMO

**Re: Volume 2 – Chapter 6 - Table 6.2-1. Baseline and Proposed Flight Operations at Andersen AFB**

Table 6.2-2 provides the amount of acreage that noise contours due to this alternative would extend over land. Under the proposed contours at Andersen AFB, there are no additional schools, churches, hospitals, or parks. However, there may be some additional residences affected. While there would be a probable increase in the number of complaints and people annoyed, no significant or adverse impacts to human health or hearing would occur. Therefore impacts would be considered less than significant.

**K-006-001** **Comment:** The second sentence of the second paragraph above Table 6.2-1 states, "By 2014, the number of airfield operations around Andersen AFB would increase from 68,139 to 99,344 annually as shown in Table 6.2-1." That is 272 flights daily. According to table 6.2-1, the aircraft types for Anderson Air Force Base will be helicopters, jets, visiting jets, propeller planes, jets, and a mix of those aircraft from other local and transient operations. The last two sentences of the fourth paragraph state, "While there would be a probable increase in the number of complaints and people annoyed, no significant or adverse impacts to human health or hearing would occur. Therefore, impacts would be considered less than significant."

For the DEIS to simply state that noise "impacts would be less than significant" is brazenly calloused. Scientific studies have proved that noise contributes to stress, high blood pressure, sleep loss, the inability to concentrate, and the inability to learn. When aircraft fly at low levels for training exercises, the noise will be magnified for residents.

### K-006-001

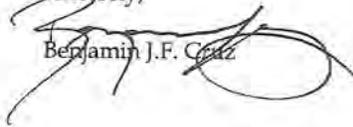
Thank you for your comment. The USMC is concerned over the potential of non-auditory health effects. Although there has been considerable debate among environmental noise experts as to whether noise exposures below the level of hearing hazard result in other lasting health effects, the subject warrants further discussion in the EIS. The EIS has been modified to present a more detailed description of the studies dealing with non-hearing loss health effects. Volume 7, Chapter 3 of the FEIS is revised based on public and agency comments.

K-006-001

Numerous studies done in Okinawa near and around the U.S. Futenma Air Station have found that noise generated has increased behavior aberration among infants, low weight births, and impaired hearing. As the U.S. bases are virtually the centerpiece of Okinawa, it is safe to conclude that these problems are attributable to U.S. bases. By comparison, the substantial footprint the military buildup will have on Guam means transference of noise-associated problems will travel with military personnel and their equipment to Guam.

In Volume 7 Chapter 3 Preferred Alternatives: Summary of Impacts understatedly states, "Aviation operations would raise noise levels locally, but only as the aircraft fly overhead." Other mitigation measures considered are directly related to construction and firing ranges via berms, sound walls, and mufflers. Noise from propeller airplanes, helicopters, and jets flying overhead, flying in squadrons, and flying low over the island in the course of training has not been addressed from a mitigation standpoint in the DEIS. Furthermore, residential health problems associated with noise have not been properly addressed. Therefore, I recommend no action for the military buildup on Guam.

Sincerely,



Benjamin J.F. Cruz

February 2, 2010

JGPO c/o NAVFAC Pacific  
 258 Makalapa Drive, Suite 100  
 Pearl Harbor, HI 96860-3134  
 Attention: GPMP

**Re: Volume 7 Chapter 3 Preferred Alternatives: Summary of Impacts**

**Construction Impacts**

Under the preferred alternatives, in-water and land-based construction related to proposed Marine Corps actions would result in less than significant adverse impacts on marine resources in Inner and Outer Apra Harbor. The impacts would be short-term and localized, assuming implementation of BMPs summarized in Chapter 2. Impacts in Apra Harbor are due to increased sediment in the water column and noise, and increased frequency of construction-related tug and barge traffic.

K-007-001

**Comment:** This entire paragraph is unclear. Even if suitable best management practices are in place upland, they do not account for preexisting erosion problems on Guam. Rainfall, unexpected rain during the dry season, tropical storms, and typhoons all contribute to erosion. Therefore, additional sediment and debris from construction, toxic lead from firing ranges, chemicals from exploded ordinance, and upland placement of dredge from Apra Harbor will contribute further to Guam's erosion problem. That erosion will flow downward into the ocean and smother what is left of Guam's reefs and marine life after DoD has had over a million cubic yards dredged from Apra Harbor.

K-007-002

The Apra Harbor, Guam, Radiological Environmental Monitoring Report for 2007 states, "A Birge-Ekman dredge modified to sample a thirty-six square inch by about one inch deep layer of the harbor sediment is used to obtain each sample. The top layer is selected because it should be more mobile and more accessible to marine life than deeper layers."

**K-007-001**

Thank you for your comment. DoD and regulatory agencies are equally concerned about preventing contamination of surface waters and groundwater (particularly drinking water aquifers). The EIS describes numerous programs and actions that will be taken to protect surface waters and groundwater from stormwater runoff. Construction of new facilities will use Low Impact Development (LID) principles to the extent practical. LID is a design philosophy that seeks to reduce the impact to the environment from new construction projects through the reduction of impervious surfaces. LIDs principles incorporate the design of facilities with the use of native vegetation, pervious (porous) surfaces to reduce storm water runoff and encourage recharge of groundwater, and water conservation. DoD is currently conducting a LID study that will identify specific types of alternative designs that can be incorporated into the construction of facilities associated with the buildup. DoD is also preparing a stormwater pollution prevention plan (SWPPP) and will apply for permits that regulate stormwater discharges during construction. The permit and plan is focused on reducing the amount of earth and soil that is exposed to stormwater during earth-disturbing activities (such as land clearing and grading), providing stabilization of soils during construction through the use of ground covers, and sediment ponds and traps/screens to reduce pollutants getting into storm runoff and from percolating into the ground. These plans also have specific requirements for containment of potential pollutants at construction sites (such as storage areas for equipment fuel). Lastly, DoD is developing a construction and demolition (C&D) waste management plan in consort with the stormwater construction plan that calls for the use of mulch on exposed soils, mulch that will be generated during the clearing of trees and low growth during land clearing activities. Once construction is complete, a SWPPP will be developed to control stormwater runoff and infiltration from base operations. This is being done on a regional DoD Guam-wide scale, and has the involvement of Guam EPA.

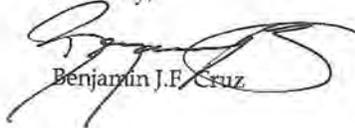
K-007-002

Apparently, core samples for Apra Harbor do not require a depth greater than one inch. This incomplete sampling is especially egregious considering that the USS Houston, a nuclear powered submarine stationed at Apra Harbor, leaked radiation into Guam's waters in July 2008. Furthermore, the US Navy has understated the amount of cobalt-60 spilled into Apra Harbor during routine maintenance, overhauls, and washing of ships going back to 1950. For that reason, toxic pollutants from radiation to cobalt-60 and heavy metal may reside in the dredged sediment. When that sediment is deposited upland, its toxicity level will add to Guam's erosion problem even if the material is finer in content. Considering the potential for toxins in the dredged sediment is deeper than one inch, a course of action recommended by marine biologists is to leave the contaminated sediments in place. This will keep in place the substrate that supports reef habitat.

Finer dredged sediment full of toxic pollutants due to failed core sampling will pollute the Ocean Dredged Material Disposal Site (ODMDS). The toxicity in the debris may adversely affect planktonic organisms, fish, turtles, dolphins, and whales due to current movements, increased sediment in the water column from repeat dumps of dredged sediment, and the increased frequency of construction-related tug and barge traffic. Even if barge loads of dredged debris are covered, birds may find a method for eating the detritus in the dredge sediment and infect themselves with toxins. On the way to the ODMDS site, tugboats will maneuver the barges through ocean traffic lanes in and out of a busy port. This may cause an accident resulting in the pollution of an unspecified area for dumping dredged sediment and loss of life. Additionally, I have been unable to find an inspection checklist in the DEIS to protect against an accident or mitigate an accident should a barge sink.

Considering that the DEIS has not addressed the issue of probing deeper than 1 inch into Apra Harbor to locate toxic radioactive contaminants in the soil, proposed a viable method for erosion prevention upland, or proposed a viable contingency plan to thwart potential problems associated with the proposed ODMDS, I request no action for the military buildup.

Sincerely,



Benjamin J.F. Cruz

**K-007-002**

Thank you for your comment. Information on this issue has been updated in Volume 4 of the Final EIS.

February 3, 2010

JGPO c/o NAVFAC Pacific  
258 Makalapa Drive, Suite 100  
Pearl Harbor, HI 96860-3134  
Attention: GPMO

**Re: Volume 2 Chapter 16 Socioeconomics and General Services**

Current Facilities and Equipment Deficits: A number of GFD fire stations were originally built for other purposes and do not house the equipment properly, exposing fire trucks and rescue boats to weather damage. In particular, the fire stations at Sinajana, Agat, and Piti are over capacity, while the stations at Tamuning, Yigo, Astumbo, Inarajan, Umatac, Yona and Talofoto are at maximum capacity. The GDoC is unable to house all its inmates, overnighters and parolees that are being held on an infraction, and must shift individuals between its Adult Correctional Facility and Hagatna Detention Facility (DoC 2008). GDYA also has crowding issues. While the agency's Dededo facility and one of its Agat facilities would be able to accommodate additional service population, GDYA's remaining four facilities are either at or above capacity currently.

**K-008-001 Comment:** The facilities at Dededo, Agat, and Toto are not meant for detention. In fact, those locations provide Aftercare programs, the Jumpstart and Chansa programs, for those released from the Guam Department of Youth Affairs (DYA) correctional facilities. Therefore, neither the Dededo, Agat, and Toto facilities are appropriate to "accommodate additional service population."

Currently DYA has 45 total staff. On the average, detainees 1-5 outnumber them. Because of the military buildup, the need for additional capacity is estimated to accommodate 35 additional clients per month during the peak years of the military buildup. Therefore, hiring additional personnel to accommodate the anticipated increase in admissions is critical for providing security, supervision, and services. DYA is need in various renovations to its infrastructure for security purposes. As the population increases for the military buildup, it is crucial to hire proper staffing personnel for DYA and renovate the infrastructure.

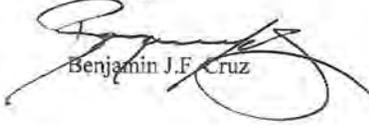
**K-008-001**

Thank you for your comment. The staffing requirement analysis in the SIAS was meant to address impacts due to the proposed action, and did not include staffing needs existing prior to the action. Changes to the FEIS reflect the usage of the DYA facilities at Dededo, Agat, and Toto.

K-008-002

Considering the rise in crime on Guam will be directly attributed to an influx of 80,000 arrivals, DoD should take steps to ensure their personnel, families, construction laborers, and entrepreneurs are properly informed about the laws on Guam through a simple brochure/pamphlet. DoD should create and implement a work program consisting of volunteer staff to assist DYA in general refurbishment i.e. painting and yard upkeep. DoD should facilitate volunteer psychological and social work staff to assist DYA on a monthly basis. Additionally, DoD must make every effort to provide funding for DYA infrastructure and staffing in preparation for the upcoming military buildup. As these needs have neither been met or discussed in the DEIS, I recommend no action for the military buildup.

Sincerely,



Benjamin J.F. Cruz

**K-008-002**

Thank you for your comment. Your mitigation recommendations have been taken under consideration. Due to the many mitigation measures recommended during the Draft EIS, expanded mitigation discussion is provided in the FEIS.

The FEIS has been updated (Volume 2) to better address impacts on social services. As documented in this EIS, DoD acknowledges the existing sub-standard conditions of key public infrastructure systems and social services on Guam and the interest to have DoD fund improvements to these systems and services. DoD's ability to fund actions is limited by Federal law. However, to minimize adverse impacts associated with the proposed military relocation program, DoD is leading a federal inter-agency effort to identify other Federal programs and funding sources that could benefit the people of Guam.



February 2, 2010

JGPO c/o NAVFAC Pacific  
258 Makalapa Drive, Suite 100  
Pearl Harbor, HI 96860-3134  
Attention: GPMO

Re: **Volume 7 Chapter 3 Preferred Alternatives: Summary of Impacts**

**Economic Impacts**

In the short term, a decision not to implement the preferred alternatives would deflate any current speculative activity attributable to the preferred alternatives. Real estate values in particular would likely drop, hurting investors but increasing the affordability of housing. The contrast between the business community's expectations and no action would likely produce a period of pessimism about Guam's economic future, especially if the current national and international economic crisis has not yet abated. These effects, though, would be attributable to an unstable world economic landscape and poor decision making by investors – not to the preferred alternatives.

Long term, the island's prospects would remain linked to international economic conditions and the health of its tourism industry. Conceivably, a smaller military profile might remove some barriers to growing the potential Chinese tourism market. Growth would resume, though probably with the same volatility experienced in recent decades.

**K-009-001** **Comment:** The second paragraph of this section is especially frustrating. It indicates that the military buildup will lessen the possibility of a Chinese tourism market but implies that since our tourism market has experienced the "same volatility" in "recent decades" a Chinese visa waiver remains ambiguous. Guam has been working with Congress for several years to bring Chinese tourists to the island. If a favorable non-immigrant visa were decided, Guam could expect a conservative forecast of 80,000 visitors from China within three years.

**K-009-001**

Thank you for your comment. The U.S. immigration policy is not under the purview of DoD and is not part of the proposed action. The changes proposed by Guam should be taken up with the appropriate agency or agencies.

K-009-001

Applying 70% of documented overseas spending (Nielsen Research: \$1,350) due to anticipated shorter stay of Chinese visitors translates into \$132.3 million in annual income for Guam. Therefore, a Chinese visa waiver will further expand a large segment of Guam's economy. Considering the increased presence from the Department of Homeland Security due to Public Law 110-229, and the increased military presence based on the military buildup, the final EIS must explicitly recommend no objection to a Chinese visa waiver. If the EIS is unable to support this recommendation, then I request no action for the proposed military buildup.

Sincerely,



Benjamin J.F. Cruz



February 1, 2010

JGPO c/o NAVFAC Pacific  
258 Makalapa Drive, Suite 100  
Pearl Harbor, HI 96860-3134  
Attention: GPMO

Re: Volume 5 Chapter 18 Public Health and Safety

18.2.5.3 Mental Illness

A potential increase in mental illness occurrences due to the natural increase in population would occur. Using the average per capita rates for mental illness on Guam, the potential increase in mental illness occurrences was estimated based on the natural increase in population. Based on the anticipated 2019 population of Guam, the annual number of mental illness cases would potentially increase by 45 to a total of 222 cases. The potential increase in mental illness cases would occur from natural population increases on the island rather than from proposed military actions and GovGuam would ensure adequate health care for Guam residents. Therefore, the no-action alternative would result in no impacts to public health and safety (resulting from mental illness).

**K-010-001** **Comment:** The last two sentences of this section are obtusely understated. DoD should cross reference their analysis among populations whose cultures have been lost due to overpopulation from an outside entity. The scale of proposed development in the DEIS stands to limit or altogether neutralize access to cultural sites thereby downsizing indigenous cultures for the ascension of non-indigenous cultures. Furthermore, the steep increase in population will add to the decline of the indigenous Chamorro population thereby rendering them a minority on their own island. Consequently, incidents of mental illness related to culture loss and dichotomy of population may increase significantly more than projected. The entire EIS should provide a clear methodology for decreasing the proposed footprint of the military buildup thereby preserving the culture, heritage, and irreplaceable lineage of the Chamorro people.

Sincerely,

  
Benjamin J.F. Cruz

**K-010-001**

Thank you for your comment. Changes on Guam because of this proposed action and other worldwide and local events will occur. These changes happen in local communities whether they are islands or urban continent settings. And most mature adults can all fondly remember times and locations that have since changed. However, changes are not all bad or all good. Culture is adaptable and can be maintained and nourished through special events, groups, and activities. Each ethnic, national, religious, work, and social group has an affinity they share or are associated with; this instills and promotes their heritage, common goals, and beliefs. The DoD presence in Guam is not expected to interfere with or destroy a culture or society. It proposes to introduce a new population to Guam's existing population that can share cultural heritages and introduce (to each other) customs and lifestyles.

Through the process of public involvement that has accompanied this proposed action, the many Chamorros have voiced their concern that the traditional Chamorro culture, including dance, language and traditions, will be forgotten. While population increases can highlight cultural differences, they also present unique opportunities for cultural learning and sharing. The DoD plans for cultural sensitivity orientation and awareness programs that will focus on mutual respect and tolerance and strive to educate incoming and currently present military personnel on the rich and varied cultural history that has created the culture that is Guam today. In terms of cultural and historical sites, every effort is being made to leave sites undisturbed. It has also been noted that DoD would work closely with the Guam Museum to respectfully manage important Chamorro artifacts so that the current population of Guam can learn from them. Finally, the DoD plans to increase military civilian joint activities in order to foster strong and mutually beneficial military civilian relationships that include the sharing and understanding of culture. Impacts to the Chamorro people are also addressed in the Socioeconomic Impact Assessment Study (SIAS) that is Appendix F,

Volume 9 of the EIS. Chamorros, although considered a minority population in comparison to the U.S. as a whole, represented over 40% of Guam's population in the 2000 U.S. Census. More information on the minority of the Chamorros is provided in the Environmental Justice and the Protection of Children chapters of the EIS, specifically, chapters 19 in volumes 2, 3, 4, 5, and chapter 20 in volume 6, and under cumulative impacts (chapter 4) of Volume 7.



February 1, 2010

JGPO,  
c/o NAVFAC Pacific,  
258 Makalapa Drive Suite 100,  
Pearl Harbor, HI 96860-3134,  
Attention: GPMP

Re: Volume 9: Appendix F – Socioeconomic Impact Assessment Study - 4.2 & 4.4

Table 4.4-30. Impact on Guam Memorial Hospital Service Population (Unconstrained)

Table 4.2-3. Estimated Total Population Increase on Guam from Off-Island (Unconstrained)

Comment:

K-011-001

Table 4.4-30 (page 4-62) purports the estimate for the Guam Memorial Hospital's service population from 2010 to 2020. This table does not seem consistent with Table 4.2-3 (page 4-147) – Estimated Total Population, through the same period and under the assumptions outlined under 4.4.3. Based on your GMHA service population assumptions, the peak service population would be 57,060 as opposed to 54,639. This would be an underestimation of the hospital's service population under your own numbers.

Using Table 4.2-3, the hospital's service population for 2014 (Unconstrained) would be as follows:

25% of Civilian Military Workers – 430  
25% of Civilian Military Worker Dependents – 409  
Off-island construction Workers (DoD Projects) – 18,374  
Off-island construction Worker (DoD Projects) dependents – 4,721  
Off-Island Workers for Indirect/Induced Jobs – 16,988  
Dependents of Off-Island Workers for Indirect/Induced Jobs – 16,138

Using the same assumptions, the sustainable post-construction level is 9,790 vs. 6,088.

Sincerely,

Benjamin J.F. Cruz

K-011-001

Thank you for your comment. Public comments on the Draft EIS are an important part of the decision-making process. Comments received from the public allow DoD to make changes to the EIS before the document is finalized. This information becomes part of the Final EIS and is evaluated when DoD issues a Record of Decision at the end of the NEPA process.

The service population data used in the DEIS was reviewed and updated (as appropriate) in the FEIS.



February 3, 2010

JGPO,  
c/o NAVFAC Pacific,  
258 Makalapa Drive Suite 100,  
Pearl Harbor, HI 96860-3134,  
Attention: GPMO

Re: Volume 9: Appendix F – Socioeconomic Impact Assessment Study - 4.3.3

Table 4.4-28. Operational Component Assumptions for Public Health Agency Impacts (Unconstrained), Page 4-60  
...

Assumption: % active duty military and military dependent population supported by GMHA

Assumed Value: 0%

Source/Rationale: Although there is anecdotal information mentioned in the text below that indicates active duty military and their dependents would sometimes access GMHA services, no quantitative data were available to support this analysis as in general GMHA does not record whether a patient is military or civilian. In certain circumstances, when GMHA does knowingly serve a military individual, they can bill TRICARE for the services.

Socioeconomic Impact Assessment Study, Page 4-74

Military and Civilian Health Care System Overlap

Note that the GMHA service population analysis is not able to capture some nuances to utilization of GMHA and Navy Hospital Services on Guam:

- In emergency situations, an individual, civilian or military, would be taken to the closest hospital emergency room (GMHA or Naval Hospital) until they are stable enough to be transported to the appropriate facility (Guam Memorial Hospital Interview – Appendix D).
- Because the Naval Hospital's capacity is low, military dependents do occasionally use GMHA services. GMHA can bill TRICARE, the military health insurance system, for these services (Guam Memorial Hospital Interview – Appendix D).

Comment:

**K-012-001** In one section of SIAS, it is assumed that active duty and military dependents will not be a part of the Guam Memorial Hospital Authority's service population. Yet, the whole section contradicts itself by acknowledging that the hospital provides services to individuals, *civilian or military*, in emergency situations. Furthermore, the statement that there is no quantitative data to determine whether or not active duty personnel or their dependents access GMHA services doesn't make any sense. The cost of running GMHA's emergency unit as well the ambulatory services provided by the Guam Fire Department are quantifiable and can be adjusted to mitigate the impact based on population increase.

Sincerely,

Benjamin J. F. Cruz

**K-012-001**

Thank you for your comment. It has been reviewed and appropriate changes were made in the Final EIS.



February 3, 2010

JGPO,  
c/o NAVFAC Pacific,  
258 Makalapa Drive Suite 100,  
Pearl Harbor, HI 96860-3134,  
Attention: GPMS

Re: Volume 9 – Appendix F Page 3-8

3.4.2.1 Guam Memorial Hospital Authority (entire section)

**Comment:**

**K-013-001**

On an almost daily basis, it is noted on the front page of the Pacific Daily News that the hospital is operating above its capacity. This clearly illustrates that the hospital is not ready for any dramatic increase in its service population.

The Guam Memorial Hospital Authority submitted a statement of needs as a part of the Civilian Military Taskforce's work to develop a Fiscal Year 2010 budget. A five-year Program/Project Timeline includes a total of \$100M in construction and capital equipment furnishings over the course of five years (2010-2014). The statement said Guam will need approx. 500 to 600 acute-care hospital beds to keep pace with the U.S. national average of 2.8 beds per 1000. About \$7 million in architectural and engineering services was included in a request for infrastructure funds from the U.S. Department of Interior for FY 2010. The amount is acknowledged in the Government Accountability Office's latest report on the buildup. Absolutely nothing in your analysis coincides with the key points the hospital submitted in its request for federal funding.

Sincerely,

  
Benjamin J.F. Cruz

**K-013-001**

Thank you for your comment. The analysis provided in the DEIS reflects the impact of population increase due to the proposed action itself, and not existing requirements of the hospital. In NEPA documents, the baseline conditions are identified. In the Socioeconomic Impact Assessment Study (SIAS) which is Appendix F in Volume 9 of the DEIS, it is noted that the existing conditions are considered inadequate.

The FEIS has been updated (Volume 2) to better address impacts on social services. As documented in this EIS, DoD acknowledges the existing sub-standard conditions of key public infrastructure systems and social services on Guam and the interest to have DoD fund improvements to these systems and services. DoD's ability to fund actions is limited by Federal law. However, to minimize adverse impacts associated with the proposed military relocation program, DoD is leading a federal inter-agency effort to identify other Federal programs and funding sources that could benefit the people of Guam.



January 29, 2010

JGPO,  
c/o NAVEAC Pacific,  
258 Makalapa Drive Suite 100,  
Pearl Harbor, HI 96860-3134,  
Attention: GPMO

**Re: Volume 2 – Chapter 6 & 16**

According to section 6.2.8: Summary of Potential Mitigation Measures “there are no significant impacts under any of the alternatives, no mitigation measures are proposed for noise,” but on Volume 2 Chapter 16 Pg. 34 “In a report on the Aircraft noise as a public health problem in Okinawa” studies showed that aircraft noise exposure resulted in a range of physical and mental consequences including sleep disorders, hearing loss, higher rates of low birth weight infants, fatigue, neurosis, and negative effects on children (Asahikawa Medical College 2000).

**K-014-001** | Comment: DoD should plan to provide and bear the expense of soundproofing homes much like what the FAA does for homes around local airports.

Sincerely,



Benjamin J.F. Cruz

**K-014-001**

Thank you for your comment. Noise levels around Andersen AFB would be dominated by the U.S. Air Force ISR/Strike action currently planned. The contribution of USMC activities would be minor in comparison. As a result, the USMC is not planning soundproofing around Andersen AFB. Soundproofing by the USMC in high noise areas is not planned at this time because of several factors. Each individual structure has noise reduction capabilities and the average reduction for windows closed is about 25 dBA and 15 dBA with windows open (personal communication, Czech 2010). The amount of reduction for a specific structure depends upon many factors including; source and intensity of the noise, age of the structure, quality of construction, type and quality of building materials, topography, other structures nearby, and the proximity of trees around the structure.



February 1, 2010

JGPO,  
c/o NAVFAC Pacific,  
258 Makalapa Drive Suite 100,  
Pearl Harbor, HI 96860-3134,  
Attention: GPMO

**Re: Volume 2 Chapter 16 & 18**

**Volume 2 Chapter 18 : 18.2.2.8 Public Services : Fire Service**

"It is anticipated that short- and mid-term GFD staffing requirements would increase over current requirements as a result of increased population. During the peak construction year (2014) the GFD would require 59 (31% increase) additional firefighters to maintain the current service ratio;"

**Volume 2 Chapter 16**

"Existing Professional Staffing Deficits: The GFD analysis is based upon a baseline staffing ratio that does not allow the meeting of certain NEPA fire protection standards on a consistent basis. While GFD is able to meet the response time requirements, the agency is currently unable to meet the recommended staffing ratio per engine company on a consistent basis, due to sick leave, vacations, and deployment of staff through the National Guard. This will be exacerbated due to the proposed action's fire prevention requirements.

**K-015-001** Comment: With the Guam Fire Department already unable to meet the recommended staffing ratio due to various reasons, how does the DEIS propose the Government of Guam fulfill the recommended 59 new firefighter positions to meet the demands of the NEPA fire protection standards?

Sincerely,

Benjamin J.F. Cruz

**K-015-001**

Thank you for your comment. As documented in this EIS, DoD acknowledges the existing sub-standard conditions of key public infrastructure systems and social services on Guam and the interest to have DoD fund improvements to these systems and services. DoD's ability to fund actions is limited by federal law. However, to minimize adverse impacts associated with the proposed military relocation program, DoD is leading a federal inter-agency effort to identify other federal programs and funding sources that could benefit the people of Guam.



January 29, 2010

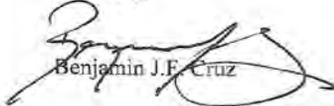
JGPO,  
c/o NAVFAC Pacific,  
258 Makalapa Drive Suite 100,  
Pearl Harbor, HI 96860-3134,  
Attention: GPMO

**Re: Volume 2 Chapter 16 : Crime and Serious Social Disorder Increase in Overall Crime**

Increase in crime by the military dependents on Guam may also be a possible impact. Guam has experiences rising juvenile drug abuse arrest (from seven to 117 between 2002 and 2006) and other assaults from 39 to 160 between 2002 and 2006) (Guam Police Department 2008, Guam Judiciary 2008, and Republic of Korea Drop 2008). Dependents of SOFA personnel on Okinawa do contribute to the overall crime statistic. Of the 46 arrest in 2007, 30 were active duty service members; one was a civilian employee; and 15 were dependents. In 2006, arrests involved 38 service members, three civilians, and 22 dependents arrested. These arrests included 23 minors.

**K-016-001** Comment: With a small facility and a limited amount of qualified staff at the local Department of Youth Affairs, and with the possible increase in juvenile-related cases, how does the DEIS propose the local community deal with the issue without the proper infrastructure/staff in place?

Sincerely,

  
Benjamin J.F. Cruz

**K-016-001**

Thank you for your comment. As documented in this EIS, DoD acknowledges the existing sub-standard conditions of key public infrastructure systems and social services on Guam and the interest to have DoD fund improvements to these systems and services. DoD's ability to fund actions is limited by federal law. However, to minimize adverse impacts associated with the proposed military relocation program, DoD is leading a federal inter-agency effort to identify other federal programs and funding sources that could benefit the people of Guam.



January 29, 2010

JGPO,  
c/o NAVFAC Pacific,  
258 Makalapa Drive Suite 100,  
Pearl Harbor, HI 96860-3134,  
Attention: GPMP

**Re: Volume 2 Chapter 16 : Crime and Serious Social Disorder Increase in Overall Crime**

It appears that the military operational component would have little impact on overall crime rates. This is determined with access to limited data, evidence that crime rates for U.S. military in Okinawa are low, and limited statistics on individual branches of the armed forces are available. Quantitative military data on criminal arrests of Marine Corps personnel or for any branch of the armed services are limited to information on overseas Status of Forces Agreement (SOFA) personnel.

**K-017-001** Comment: The DEIS should be revised to adequately address the impact this buildup will have on the crime rate and proffer rational and reasonable recommendations on how to mitigate it.

Sincerely,

Benjamin J.F. Cruz

**K-017-001**

Thank you for your comment. Military crimes on Okinawa are discussed in various section of the Socioeconomic Impact Analysis Study (SIAS); the SIAS is Appendix F in Volume 9 of the DEIS. The SIAS includes subsection 4.5.1 entitled, Impact on Crime and Serious Social Disorder that discusses the likely impacts on Guam relating to crimes. Statistically, an increase in the number of rape incidents could result based on the increased in population (military and workers). Impacts identified in the SIAS state: "It appears that the military operational component would have little impact on overall crime rates".

Population density on Guam would increase; however, for the most part, the military personnel and their dependents would remain on base and within the housing areas within DoD property. If crimes are committed off-base in the U.S. (includes Guam), U.S. military personnel are subject to civilian law enforcement. It is likely that civilian (Guam) and military patrols (i.e., Shore Patrols) would work together to enforce laws and lessen criminal activities. The SIAS and the DEIS are documents that have identified the probable impacts of the proposed action and alternatives based on the best available information. Existing data and information was gathered and supplemented with interviews with federal and Guam agencies. To provide the public and various governmental agencies with an opportunity to review and comment on the methodologies and assumptions used, the SIAS was included as Appendix F, Volume 9 of the DEIS. Comments provided on the DEIS will also be included to provide the decision-makers with the public views in support and/or opposition of the proposed action and alternatives.



January 29, 2010

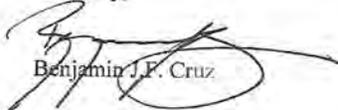
JGPO,  
c/o NAVFAC Pacific,  
258 Makalapa Drive Suite 100,  
Pearl Harbor, HI 96860-3134,  
Attention: GPMO

**Re: Volume 2 Chapter 9 section 9.2.2.1 North (Operations)**

There are several recreational resources that the public would lose the access to, and the use of the features if the proposed action were implemented: Guam International Raceway, Marbo Cave, Pagat trail and associated trails near it, cultural gathering activities (suruhana), and off-shore fishing near Marbo Cave. Implementation of Alternative 1, regardless of the Training Complex Alternatives A or B would cause the cessation of the present activities at all the resources mentioned because the Known Distance (KD) Range Complex is proposed in that location. The loss of Guam International Raceway land and use would be an adverse impact. Therefore, Alternative 1 would result in significant impacts to recreational resources.

**K-018-001** Comment: The military should do as originally announced, live and build within their footprint. Instead of single family homes with large yards build vertically and cut down on the area needed for housing. Revise the DEIS proposal to condemn Pagat and build the firing range on Anderson either at Tarague or on the Air Force Golf course.

Sincerely,

  
Benjamin J.F. Cruz

**K-018-001**

Thank you for your comment. DoD acknowledges that the issue of land acquisition is a complex and sensitive one with both historical and contemporary contexts. Should DoD determine that additional land is necessary to meet its requirements, DoD policy requires that it negotiate with affected public and private land owners in good faith, seek agreements to acquire desired lands interests and pay fair market value.

DoD is confident that all parties can reach agreement on any potential land acquisition. Further, any proposed major DoD land acquisition, such as those associated with the preferred alternatives for the main cantonment and live fire ranges, must be approved by the Congressional defense committees.

Specific areas being considered for acquisition are identified in the Final EIS.

February 1, 2010

JGPO,  
c/o NAVFAC Pacific,  
258 Makalapa Drive Suite 100,  
Pearl Harbor, HI 96860-3134,  
Attention: GPMP

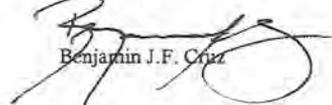
**Re: Volume 8: Additional NEPA Items – Consistency with other Policies and Controls Table 2.1-1. Status of Compliance with Relevant Plans, Policies, and Controls.**

**CHAPTER 2. CONSISTENCY WITH OTHER FEDERAL, STATE, AND LOCAL LAND USE PLANS, POLICIES, AND CONTROLS** A summary of the laws, implementing regulations, and Executive Orders (EOs) applicable to the proposed actions is provided below. The Description of Proposed Actions and Alternatives for each volume and the Guam Joint Military Master Plan have been developed to ensure consistency with land use guidelines for the project areas and with the objectives of federal, regional, state, and local land use plans, policies, and controls. Table 2.1-1 provides a summary of the status of compliance with relevant federal, state, and local plans, policies, and controls, and the agency responsible for enforcing the laws. ....

**Comment:**

**K-019-001** How does the Department of Defense intend to comply with local laws concerning the protection of Guam's sea shores? The Territorial Seashore Protection Act of 1974 is nowhere listed in *Table 2.1-1. Status of Compliance with Relevant Plans, Policies, and Controls*. It seems appropriate that DoD includes this item in its report as there are a number of sea shores in the Description of Actions and Alternatives.

Sincerely,



Benjamin J.F. Cruz

**K-019-001**

Thank you for your comment. This Act is described in the text and table of Chapter 3, Volume 8.



February 2, 2010

Joint Guam Program Office  
c/o NAVFAC Pacific,  
258 Makalapa Drive Suite 100,  
Pearl Harbor, HI 96860-3134,  
Attention: GPMP

**Re: NOISE Volume 2, Volume 5, Volume 6**

Although the noise impacts would be limited to the construction period and would cease once construction has been completed, noise levels could exceed acceptable USEPA standards. These levels would be reduced to less than significant levels through implementation of BMPs, such as project sequencing and sound barriers.

K-020-001

**Comment:** It is unclear in this or any section addressing noise what the best management practices of "project sequencing" or "sound barriers" entail. Taken literally, neither of these BMPs will be effective enough to maintain the quality of life to which Guam residents are already accustomed. Further, if the proposed sound barriers are actually used, the working conditions for the laborers may not meet OSHA standards.

Exceeding USEPA standards for noise levels is unacceptable for both residents that live near the affected areas and protected species whose populations are already threatened.

For the potential violation of federal regulations should DOD proceed with these proposals, I recommend no action.

Sincerely,

Benjamin J.F. Cruz

### K-020-001

Thank you for your comment. Noise impact analyses assume the use of multiple graders on other pieces of construction equipment. Project sequencing works to reduce noise by limiting the number of the noisiest equipment working at the same place at the same time. One example of project sequencing is; if five excavators are required for a given project, noise calculations assumed worse case by all of them working adjacent to the noise sensitive areas at the same time. Project sequencing would restrict the number of excavators to one or two nearest the noise sensitive areas while the remainder can be working on the part of the project site farthest away from the noise areas. Sound barriers are walls that are either temporary or permanent designed to reduce noise from one side of the wall to the other. The EIS is modified to describe these measures more clearly. Either of these methods would reduce the construction noise to below U.S. Environmental Protection Agency limits.



January 29, 2010

Joint Guam Program Office  
c/o NAVFAC Pacific,  
258 Makalapa Drive Suite 100,  
Pearl Harbor, HI 96860-3134,  
Attention: GPMO

Re: Volume 7 – Chapter 3

The construction for the Navy's new aircraft carrier berthing in Outer Apra Harbor would result in significant direct impacts to marine biological resources. After all efforts to minimize and avoid the impacts of the aircraft carrier project, there remain unavoidable adverse impacts associated with dredging coral reef ecosystems in Outer Apra Harbor. Sessile reef species, some crustacean management unit species (MUS) and site-attached reef fish. Pelagic egg/larval stages of bottomfish and pelagic MUS may also be affected.

K-021-001

**Comment:** In conversations I've had with local biologists who have either assisted the Navy contractor in its research or performed the same research for comparison, the local biologists have reiterated their frustration that their findings and recommendations have been ignored by the Department of Defense.

- The Navy's method for quantifying the value of the reef (Habitat Equivalency Analysis) is limited to coral cover. It ignores the fact that there are unique and rare species in the affected areas.
- In affected areas where there is little coral cover, there are significant unique and rare species. These areas are undervalued because the only criteria for value is coral cover.

I am disturbed that the Navy contractor performing these tests knows so little about the importance of biodiversity in sustaining an island. I stand behind the local scientists' recommendation that the unique and rare species be included alongside coral cover in the habitat equivalency analysis of Apra Harbor.

Sincerely,

Benjamin J.F. Cruz

K-021-001

Thank you for your comment. The Navy has worked with and coordinated meetings with the resource agencies over the last three years discussing Habitat Equivalency Analysis (HEA) approach and methodologies. The Navy has invited them to perform surveys, and attended a USFWS hosted HEA workshop in 2008 (Guam agencies were unable to attend due to scheduling difficulties). The Navy has addressed PDEIS comments and concerns, incorporating additional quantitative coral and finfish studies into the DEIS in attempts to alleviate some of these concerns. The Navy used a habitat indices in the HEA, which was developed off of percent coral cover and rugosity (3-dimensionality) as suggested by resource agencies. Per the Veiman et.al, paper (NOAA, December, 2008) a percent coral cover metric combined with other metrics that provide for a 3-dimensional representation of the habitat lost could be used to determine adequate compensatory mitigation via a HEA. The agencies may continue to disagree with approach, but their approach tends to double count ecosystem function loss. The "spring surveys" data that were included in the DEIS were not intended to be an "exhaustive species list", and as a result it is possible that there will be rare and/or small species that will not be accounted for by the methods used. Unless these coral (or other invertebrate) species have been identified as a legally recognized special status species, they are afforded no additional level of protection or consideration than other coral (or invertebrate) species in that area. The Navy will continue to work with the USACE and EPA/G EPA and do whatever is necessary to satisfy the requirements of Section 10/404 and Section 401 permit documentation.

February 1, 2010

JGPO,  
c/o NAVFAC Pacific,  
258 Makalapa Drive Suite 100,  
Pearl Harbor, HI 96860-3134,  
Attention: GPMO

Re: Volume 8: Additional NEPA Items – Consistency with other Policies and Controls Table 2.1-1. Status of Compliance with Relevant Plans, Policies, and Controls.

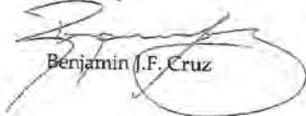
**CHAPTER 2. CONSISTENCY WITH OTHER FEDERAL, STATE, AND LOCAL LAND USE PLANS, POLICIES, AND CONTROLS A**

A summary of the laws, implementing regulations, and Executive Orders (EOs) applicable to the proposed actions is provided below. The Description of Proposed Actions and Alternatives for each volume and the Guam Joint Military Master Plan have been developed to ensure consistency with land use guidelines for the project areas and with the objectives of federal, regional, state, and local land use plans, policies, and controls. Table 2.1-1 provides a summary of the status of compliance with relevant federal, state, and local plans, policies, and controls, and the agency responsible for enforcing the laws.

**Comment:**

**K-022-001** How does the Department of Defense intend to comply with local laws concerning the protection of historical objects and sites with respect to the buildup? Specifically, Chapter 76 of Title 21 of the Guam Code Annotated and Public Law 12-126 exist to protect the historic, archeological, architectural, and cultural heritage of Guam. This provision of Guam law should be addressed in the DEIS and be included in *Table 2.1-1. Status of Compliance with Relevant Plans, Policies, and Controls*.

Sincerely,



Benjamin J.F. Cruz

**K-022-001**

Thank you for your comment. Public Law 12-126 has been added to Table 2.1-1.

JGPO,  
c/o NAVFAC Pacific,  
258 Makalapa Drive Suite 100,  
Pearl Harbor, HI 96860-3134,  
Attention: GPMO

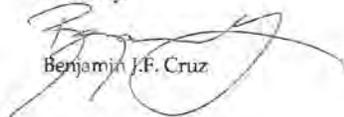
**Re: Volume 4 Chapter 2 Bilge and Oily Wastewater Treatment System (BOWTS)**

A BOWTS separates oil, grease, and oily waste found in bilge and oily water. A BOWTS has the capability to lower the contaminant levels to less than the permissible limits for discharge to publicly owned treatment works. The new BOWTS would be sized to accommodate the ultimate requirements of the CVN 78: i.e., a pumping rate of 90 gallons per minute (gpm) (341 liters per minute [lpm]) with an average flow rate of 38,000 gpd (143,846 lpd) and a peak flow rate of 82,000 gpd, (310,404 lpd).

**K-023-001** **Comment:** Bilge water consists of shipboard waste-streams, leaks from tanks, pump packing glands, leaking piping, valves, and flanges. Spillage from ship propulsion and auxiliary systems, runoff from housekeeping, and oily combinations comprised of jet fuel, lube oil, and hydraulic oil from operating and lubricating ship engines, aircraft, generators, pulleys, cables, and valves contribute to bilge water. Other significant contributions to bilge water include detergents and corrosive materials discharged into sinks during maintenance of engine room equipment. Frequently, animal and plant organisms find their way into a ship bilge. According to the EPA "Bilge water sampling during Uniform National Discharge Standards (UNDS) Phase I identified more than 25 priority pollutants, including metals, organics, and bioaccumulative contaminants of concern (BCC) known to cause persistent toxic effects to aquatic and terrestrial life and humans."

Volume 4 Chapter 2 does not have a mitigation proposal for bilge spillage or spillage during transference into a Bilge and Oily Wastewater Treatment System into Apra Harbor. Additionally, none of the chapters in Volume 7, Potential Mitigation, Preferred Alternatives Impacts, and Cumulative Impacts, addresses mitigation for bilge water spillage either aboard navy ships or during the transference of bilge water into a Bilge and Oily Wastewater Treatment System. The EIS should provide a clearly outlined mitigation plan to address possible spillage of bilge waters directly from navy ships or during transference of bilge water into a Bilge and Oily Wastewater Treatment System.

Sincerely,



Benjamin J.F. Cruz

**K-023-001**

Thank you for your comment. Volume 2, Chapter 17, Section 17.1.2.1 Ship-Borne Hazardous Substances and Table 17.1-1 Navy Regulation Discharge Restrictions summarize bulge water discharge requirements that the Navy must comply with.



January 29, 2010

JGPO,  
c/o NAVFAC Pacific,  
258 Makalapa Drive Suite 100,  
Pearl Harbor, HI 96860-3134,  
Attention: GPMO

Re: Volume 8: Additional NEPA Items – Consistency with other Policies and Controls Table 2.1-1. Status of Compliance with Relevant Plans, Policies, and Controls.

**CHAPTER 2. CONSISTENCY WITH OTHER FEDERAL, STATE, AND LOCAL LAND USE PLANS, POLICIES, AND CONTROLS A**

A summary of the laws, implementing regulations, and Executive Orders (EOs) applicable to the proposed actions is provided below. The Description of Proposed Actions and Alternatives for each volume and the Guam Joint Military Master Plan have been developed to ensure consistency with land use guidelines for the project areas and with the objectives of federal, regional, state, and local land use plans, policies, and controls. Table 2.1-1 provides a summary of the status of compliance with relevant federal, state, and local plans, policies, and controls, and the agency responsible for enforcing the laws.

**Comment:**

**K-024-001** How does the Department of Defense intend to comply with local laws concerning the protection of Guam's mineral resources on Government lands? Specifically, how does DOD intend to ensure that contractors with the Proposed Actions and Alternatives will comply with § 60410 of Chapter 60, Title 21 of the Guam Code Annotated? Compliance with this specific law should be listed in Table 2.1-1. Status of Compliance with Relevant Plans, Policies, and Controls.

Sincerely,

Benjamin J.F. Cruz

**K-024-001**

Thank you for your comment. Additional information on DoD monitoring of regulatory compliance has been added to Volume 8. Information specific to Section 60410 of Ch. 60, Title 21 of the Guam Code Annotated has been added to Table 2.1-1.

JGPO,  
c/o NAVFAC Pacific,  
258 Makalapa Drive Suite 100,  
Pearl Harbor, HI 96860-3134,  
Attention: GPMO

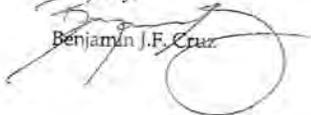
**Re: Amphibious Vehicle Laydown Area**

The amphibious vehicle laydown area is required to store, wash down, maintain, and deploy amphibious vehicles, such as landing craft and AAVs. LCACs would also utilize this area. Reconnaissance battalion small boats would be stored and maintained. Amphibious vehicles and the LCACs travel on land and water. The laydown area needs to be close to the water and have ramps to access the harbor for training and operations. Amphibious vehicles produce noise comparable to a diesel powered boat on water. On land, the amphibious vehicle tracks on hard surfaces generate noise. LCACs; however, are powered by gas turbines using two large shrouded propellers at the stern for forward propulsion. These gas turbines are similar to aircraft jet engines. Therefore, the laydown area must also be remote from other operations because of the noise and spray associated with the LCACs. The area is proposed for this project is along Polaris Point's southern coast and east of Alpha Wharf in inner Apra Harbor. This area is within a manmade fill area, requires no demolition, and is undeveloped (vacant) with no land use constraints. It has direct water access to Apra Harbor.

**Volume 1 - Chapter 2 – Comment - 2.2.3.2 Amphibious Vehicle Laydown Area**

**K-025-001** **Comment:** The DEIS asserts the area Amphibious Assault Vehicles (AAV) and Landing Craft Air Cushion (LCAC) will traverse is a "manmade fill area, requires no demolition, and is undeveloped (vacant) with no land use constraints." However, the noise generated from gas turbines that are similar to aircraft jet engines may cause noise pollution for miles. Insoluble cleaners used during maintenance, washing down, and maintaining of AAV's and LCAC's may leech into soil and water. Leaking or spilled oil, diesel, and general lubricants for the working parts of the AAV and LCAC may cause environmental problems. The heavy tracks from the LCAC may damage fauna and flora, small organisms, coral, roads, and generate noise in all directions. As the AAV and LCAC have direct access to Apra Harbor, the final EIS should provide detailed documentation related to mitigation of the environment in relation to AAV's and LCAC's.

Sincerely,



Benjamin J.F. Cruz

**K-025-001**

Thank you for your comment. Best management practices and mitigation measures for this topic are included in Volume 2 with summary of all similar practices and measures contained in Volume 7.

JGPO,  
c/o NAVFAC Pacific,  
258 Makalapa Drive Suite 100,  
Pearl Harbor, HI 96860-3134,  
Attention: GPMO

**Re: Volume 2 – Chapter 17 – Navy Hazardous Waste Management**

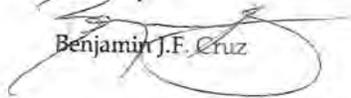
Navy ships are not considered hazardous waste generators, but rather generate what is termed as “used hazardous material.” This material is not considered hazardous waste until the receiving shore entity declares it “waste” and subjects it to applicable regulations. This policy applies only for material generated aboard ships. When “used hazardous material” is offloaded and determined to have “no further use” it then becomes regulated waste and is subject to all applicable regulations.

**K-026-001**

**Comment:** According to a Pesticide Information Profile done by Cornell University, “Tributyltin (TBT) is the active ingredient of many products that act as biocides against a broad range of organisms. It is primarily used as an antifoulant paint additive on ship and boat hulls, docks, fishnets, and buoys to discourage the growth of marine organisms such as barnacles, bacteria, tubeworms, mussels and algae.”

In port, Navy ships produce hazardous waste due to TBT loss. Numerous scientific studies indicate that Pearl Harbor has experienced hazardous waste as a result of TBT. Can DoD provide the estimated amount of TBT loss expected for Apra Harbor after the military has begun moving through inner and outer Apra Harbor with additional ships? Additionally, no consideration to TBT loss is provided in Chapter 17 of Volume 4 – Aircraft Carrier Berthing or the Chapters of Volume 7 – Potential Mitigation, Preferred Alternatives’ Impacts, and Cumulative Impacts. The EIS should account for mitigation of TBT loss from ship boat hulls, docks, and buoys.

Sincerely,



Benjamin J.F. Cruz

**K-026-001**

Thank you for your comment. The U.S. Navy applied tributyltin TBT-based paint to ships in the 1979-1988 time frames. The use of TBT in the U.S. was banned in 1988. The last Navy ship to use TBT had that coating removed in 1994. The Navy currently uses copper-based antifouling paints and is actively exploring less toxic alternative coatings.

1. HTIS BULLETIN Vol.9 No.3, May - June 1999. Tom McCarley, HTIS
2. Global Invasive Species Programme (GISP). 2008. Marine Biofouling: An Assessment of Risks and Management Initiative. Compiled by Lynn Jackson on behalf of the Global Invasive Species Programme and the UNEP Regional Seas Programme. 68 pp.

January 29, 2010

JGPO,  
c/o NAVFAC Pacific,  
258 Makalapa Drive Suite 100,  
Pearl Harbor, HI 96860-3134,  
Attention: GPMO

Re: Volume 4 Chapter 5 Air Quality

**5.2.2.4 Alternative 1 Potential Mitigation Measures**

No mitigation measures would be required for this action, as emissions are below criteria levels. However, the use of low sulfur fuels for construction vehicles could be used to minimize emissions. Potential mitigation measures for combined effects of all components considered in this EIS/OEIS are discussed in Volume 7.

K-027-001

**Comment:** Volume 4 Chapter 5 Air Quality innocuously discusses emissions. Volume 7 Chapter 2 Overview of Best Management Practices and Mitigation Measures lists various methods for mitigating emissions that include non-idling or pursuing technological improvements to construction equipment and vehicles, but without a decisive plan. Furthermore, the mitigation discussion throughout the DEIS does not include the cumulative CO<sub>2</sub> effects of navy ships, general aircraft, amphibious machines, construction vehicles, and the influx of vehicles associated with the population increase. Additionally, the DEIS does not address the cumulative CO<sub>2</sub> effects of vehicles in traffic. In light of the impact global warming will have on the island of Guam, the EIS should address and implement every method possible for limiting CO<sub>2</sub> emissions from all DoD machinery. This could be accomplished through regular maintenance, shorter routes, limiting engine operating speed, and retrofitting diesel vehicles with ultra-low sulfur diesel fuel equipment among a myriad of options prescribed by the Environmental Protection Agency.

Sincerely,



Benjamin J.F. Cruz

**K-027-001**

Thank you for your comment. Chapter 5 (Air Quality) in Volume 4, quantifies the air emissions associated with the operation and construction activities related to the proposed action including all of the emissions sources cited by the commenter. A detailed list of these sources and the analysis of their emissions is included in Volume 9, Appendix I, which is an Air Emissions Study. Methods used for estimating and calculating emissions are EPA methodology. The FEIS provides a more detailed explanation of this data.

Although the analysis shows that the adverse air quality impacts to be less than significant, DoD would consider various options designed to minimize the proposed action's impacts, as described in Volume 7. DoD is working with relevant stakeholders to determine an appropriate strategy to for implementing an island wide switch to low sulfur fuel.

The waiver that is currently provided to Guam to use higher sulfur fuel was requested by the Governor of Guam. It is within the power of GovGuam and the legislature to petition that this waiver be lifted so that the entire island could make the switch to cleaner fuels and improve air quality for Guam. Other potential measures that could reduce air emissions during construction (such as reduced idling of vehicles and dust suppression) are outlined in the FEIS.



JGPO,  
c/o NAVFAC Pacific,  
258 Makalapa Drive Suite 100,  
Pearl Harbor, HI 96860-3134,  
Attention: GPMO

Re: Volume 4 Chapter 2 - Hydraulic Dredges

Historically, mechanical dredging has been used in Apra Harbor, and would likely be the preferred method. Mechanical dredging is assessed as the environmentally conservative method (maximum adverse impact) of dredging in the EIS/OEIS because it has the greater combined potential for environmental impacts from direct and indirect impacts to coral reefs due to sediment redistribution.

K-028-001

**Comment:** The language in this portion of the chapter is confusing because mechanical dredging is assessed as environmentally conservative, but the language indicates it has the greater combined potential for environmental impacts from direct and indirect impacts to coral reefs due to sediment redistribution. Additionally, mechanical dredging may have a history in Apra Harbor, but that reasoning is insufficient without a cost/benefit analysis that factors into the equation negative environmental impacts like reef destruction. Considering the extensive dredging Apra Harbor will undergo, the EIS should select a preferred dredging method with a minimal impact.

Sincerely,

Benjamin J.F. Cruz

**K-028-001**

Thank you for your comment. The differences between the environmental effects of mechanical and hydraulic dredging are discussed in Chapter 2, Volume 4 and Appendix D of the EIS. Mechanical dredging involves use of a clamshell or fixed bucket that excavates the dredge sediment from the harbor floor and then carries the sediment in the full bucket through the water column before lifting the bucket out of the water and placing the dredged sediment in a nearby barge or scrow. During this movement, a small fraction of the collected sediment will escape from the bucket and create suspended sediment in the lower and higher levels of the water column. On the other hand, a hydraulic dredge works solely on the harbor floor and any suspended sediment will emanate only in the lower portion of water column. As a result, the plume of suspended sediment is generally greater with use of conventional clam shell bucket as compared with a hydraulic dredge. However, use of hydraulic dredging is generally limited to soft bottom sediment on relatively flat surfaces. Mechanical dredging, which has historically been used in Apra Harbor, was chosen as the dredging method for evaluating environmental impacts as it presents the most adverse impact scenario.

A sediment plume is an inevitable effect of in-water construction activities. The Navy proposes to minimize sedimentation by using best management practices such as silt curtains and operational controls of dredging equipment. Final mitigation measures for all dredging activities will be determined and agreed upon during the permit phase of the projects.



February 1, 2010

JGPO c/o NAVFAC Pacific  
258 Makalapa Drive, Suite 100  
Pearl Harbor, HI 96860-3134  
Attention: GPMP

Re: **Volume 7 Chapter 2 Table 2.1-1. Summary of Best Management Practices**

**Public Outreach/Education**

Develop and implement a Public Outreach Program to:

- Inform residents, businesses, and service providers about the project schedule and other relevant information.
- Implement public awareness education seminars and workshops regarding the dangers of munitions and explosives of concern (MEC) the importance of staying off firing ranges, and what to do if you observe what may be MEC.
- Promote public meeting announcements by posting ads in multiple places.
- Provide public meeting written materials translated in Chamorro and Filipino, supply and interpreter at public meetings. Mail announcements of public meetings to areas that may be disproportionately impacted by proposed actions (i.e., residents of Dededo, Yigo, Barrigada, Mangilao, Piti, Santa Rita, Agat, and Talofofo).

**K-029-001**

**Comment:** DoD should provide funding to Guam agencies for a site specific educational DVD and pamphlets/brochures detailing Guam's unique tropical environment, culture, heritage, fauna/flora, and diversely fragile ocean ecosystem. Additionally, the DVD and pamphlets/brochures should provide basic background on Guam's laws and historical issues of relevance to residents. Considering the potential for culture clash combined with inexperience within Guam's environment, this DVD and pamphlet should be provided to laborers, military personnel, military families, and business people associated with the military buildup. The EIS should ensure that DVD's and brochures/pamphlets are part of a comprehensively funded DoD initiative toward public awareness.

Sincerely,

  
Benjamin J.F. Cruz

**K-029-001**

Thank you for your comment. Expanded mitigation discussion is provided in the FEIS.



February 1, 2010

Joint Guam Program Office  
c/o NAVFAC Pacific,  
258 Makalapa Drive Suite 100,  
Pearl Harbor, HI 96860-3134,  
Attention: GPMO

Re: Water Supply 2.3.4.3 Potential Impacts and Mitigation

The potential impacts of exceeding the water supply include water outages or reduced water pressure conditions in parts of the water systems, rationing, poor water quality due to potential saltwater intrusion, and **violations of regulatory requirements**. Water outages or low water pressure can result in microbiological and other contaminants entering the distribution system, potentially resulting in illness. Water outages or low water pressure can also potentially prevent effective fire fighting and degrade the basic sanitary needs of the population. These are significant impacts with potentially serious implications to the Guam population.

K-030-001

**Comment:** Based on the impacts listed on page 44 in Volume 7, Chapter 2, I recommend NO ACTION, as there will be no sustainability to *any* population on Guam if there is no water.

Despite the best management practices of the Department of Defense, there will not be enough water to sustain the mere 44,301 people DOD expects in 2010, let alone the 79,178 people at its 2014 peak, as is clearly shown on Table 2.3-5 with a glaring negative 6.1 million gallons per day.

Slowing the "construction tempo" to mitigate this deficit will not be effective. Nor will drilling 22 new wells, which will have been an expensive and futile project once the water supply has been exceeded.

Guam as an option for Marine relocation is entirely unrealistic and should have been abandoned when this "potential impact" was discovered. Construction projects will be delayed, safety and security will be jeopardized, and the military personnel and their dependents will suffer the consequences right alongside the local population.

Sincerely,

Benjamin J.F. Cruz

### K-030-001

Thank you for your comment. Up to 22 new water supply wells are proposed to provide additional capacity for the DoD water system. These wells would be installed in Northern Guam and extract potable water from the northern Guam lens aquifer. Operations at Fena Reservoir would not be modified at this time. The estimated sustainable yield from the northern Guam lens aquifer is estimated at approximately 80 million gallons per day. Aquifer sustainable yield is the amount of water that can continuously be withdrawn from groundwater sources without degrading water quality or viable production water. The estimated total average daily water demand from this aquifer is 63 million gallons per day at the peak of construction of the proposed DoD buildup. Thus, there will be an adequate supply of potable water. DoD and Guam Waterworks Authority plan to jointly manage the production of water. Also DoD is an advocate for grants and low cost loans to Guam Waterworks Authority so they can improve their distribution system and reduce water loss due to leaks. The Guam Water Authority (GWA) and DoD are cooperatively working together to plan for the expected increase in population on Guam. DoD has agreed to drill the 22 new DoD water supply wells early, and provide this water to GWA, along with excess water from DoD's Fena Reservoir, to meet the near-term increase in water demand that is expected to occur off-base during the construction phase of the buildup. During this time, GWA will make improvements to their system to meet the long-term water needs of off-base communities. The net positive affect of this strategy is that DOD shoulders the cost to supply early buildup water demand, especially the demand associated with the temporary construction workforce.



February 1, 2010

Joint Guam Program Office  
c/o NAVFAC Pacific,  
258 Makalapa Drive Suite 100,  
Pearl Harbor, HI 96860-3134,  
Attention: GPFO

Re: Wastewater Volume 6, Chapter 6

6.2.4.2 Implementation of Basic Alternative 1a or 1b would have no significant impacts to water resources as there would be limited construction or change in operations under these alternatives.

K-031-001

**Comment:** While the Draft Environmental Impact Statement claims there will be no significant impacts to water resources as a result of its wastewater system expansion plans, it disregards several key issues. The most important issues ignored are the impacts that are sure to be sustained by central Guam and the Hagåtña Waste Water Treatment Plant (HWWTP).

As has already been stated throughout the DEIS, the population increases will not be confined to the northern region of Guam. Currently, the collection facility from south San Vitores Road to the HWWTP cannot take on any more sewage. And yet the DEIS addresses only the NDWWTP.

For this and a multitude of inaccuracies throughout the document, it is my recommendation that a completely new DEIS be submitted for review and comment—one that takes into account *all* of the utilities that will be impacted and put under strain by the military buildup.

Sincerely,

Benjamin J.R. Cruz

K-031-001

Thank you for your comment. The impact to Hagatna Wastewater Treatment Plant was analyzed and discussed in section 2.3.3.2 of the DEIS. Section 3.1.3 discusses proposed improvements to GWA sewers in central Guam. In 2007, the Hagatna plant was refurbished and shall be able to receive future flows from induced population due to military growth. In 2008, citing an overburdened wastewater system, GWA imposed a development moratorium for areas in central Guam, and issued a request for proposals in order to use a private partner for upgrading the wastewater collection system in central Guam. The project was estimated to cost from \$30 million to \$40 million, and construction will start as soon as the funding is available. The project is expected to complete in two years. It would increase the capacity of central Guam sewer collection system and help improve treatment efficiency at the Hagatna WWTP.



February 2, 2010

Joint Guam Program Office  
c/o NAVFAC Pacific,  
258 Makalapa Drive Suite 100,  
Pearl Harbor, HI 96860-3134,  
Attention: GPMO

**Re: Water Resources Preferred Alternative 6.2.3.1 Basic Alternative 1**

Basic Alternative 1 would consist of installation of up to 22 new potable water supply wells at Andersen Air Force Base (AFB), rehabilitation of existing wells, interconnection with the GWA water system, and associated T&D systems. A new 5 MG (19 ML) water storage tank would be constructed at ground level at Finegayan.

K-032-001

**Comment:** In order to meet the construction workforce's water needs, as the transient laborers will be living off base, one of the plans GWA must execute is the construction of at least 16 new wells. Once the workforce leaves, GWA will have excess capacity and no use for the additional wells.

Basic Alternative 1 proposes, among other things, the construction of 22 new wells. By 2017, there will be at least 38 new wells and no immediate need for half of them.

I recommend that instead of proceeding with the preferred alternative in the Draft Environmental Impact Statement, DOD assist GWA in building its planned wells. Though it will be a little ahead of DOD's schedule, it will ease the water supply burden of all parties.

Sincerely,

Benjamin J.F. Cruz

**K-032-001**

Thank you for your comment. That is a very good suggestion. Actually a similar approach is being proposed: accelerate the construction of the additional DoD wells and provide excess water to GWA for the civilian system. DoD, GWA, GEPA, and EPA have been working on this plan over the last several months. This will provide time for GWA to make system repairs and upgrades. The proposed plan is to construct these new DoD wells in 2011.

Actually, the installation of more wells than may be needed would be beneficial in managing the aquifer in that it provides more flexibility to adjust where pumping occurs (which subbasin of the aquifer) and the pumping rate per well. That is required to prevent "upconing" of the salt water on which the lens aquifer sits.

In addition, GWA is in the second year of a three year leak detection program. In the first year, about 4 million gallons per day of leaks were found. Those should be repaired and the rest of the program should be pursued energetically. GWA system suffers over 50% of unaccounted for water (water that is pumped from the source but not accounted for in usage meters). Some of this is due to leaks and some due to metering issues. If the unaccounted for water percentage were reduced to a more typical 15 to 20%, the GWA projected shortfall would disappear!

DoD remains an advocate for GWA in finding grants and low-cost loans to facilitate these system upgrades that are needed with or without the proposed DoD buildup.



February 3, 2010

JGPO,  
c/o NAVFAC Pacific,  
258 Makalapa Drive Suite 100,  
Pearl Harbor, HI 96860-3134,  
Attention: GPMP

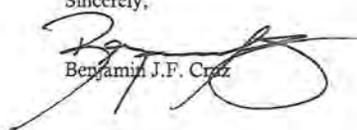
Re: Volume 9 – Appendix F - Section 4.3.7 Tourism, Page 4-35

Without such data, analysis is qualitative and based largely on interviews with industry leaders in 2008 and early 2009 (Appendix D).

**Comment:**

**K-033-001** Three sources of interviews regarding tourism are indicated on Appendix D: the Guam Visitors Bureau, the Marianas Yacht Club, and the Fiesta Resort. Only one staff member and the general manager were interviewed for input from Guam Visitors Bureau. GVB Board of Directors consists of members representing all major facets of the island's tourist industry. None of them appear to have been included in the discussions. Also, while vague references were made regarding an interview with the president of the Guam Hotel and Restaurant Association under your interview entitled "Fiesta Resort," no follow-up interview or submission was made analyzing whether wholesalers and distributors will meet hotel needs in light of the buildup. There were no interviews with Guam's tour operators undertaken to assess the impact of traffic related to the buildup on tour bus operations. Furthermore, no interviews were conducted with Guam tax officials concerning the buildups' effect on the excise tax on hotel occupancy in light of specific provisions in Guam law exempting government related occupancy from the tax. Your analysis acknowledges the tourism industry's role as a major private sector source of outside dollars for Guam's economy, yet you woefully underestimate the impact of your proposed actions by not soliciting adequate input from the industry's many stakeholders.

Sincerely,

  
Benjamin J.F. Cruz

**K-033-001**

Thank you for your comment. The DEIS review provides the opportunity for comments, issues, and opinions to be voiced. This includes those individuals, groups, and agencies that may not have been part of the information gathering process. Public and agencies responses are a very important part of the NEPA EIS process. The FEIS acknowledges this viewpoint and provides the decision makers with all opposing and supporting positions for the proposed action.

February 1, 2010

JGPO,  
c/o NAVFAC Pacific,  
258 Makalapa Drive Suite 100,  
Pearl Harbor, HI 96860-3134,  
Attention: GPMO

Re: Volume 9: Appendix F – Socioeconomic Impact Assessment Study - Tourism

Socioeconomic Impact Assessment Study – Page 4-38:

*Loss of Possible Tourism Attractions from DoD Acquisition of New Land*

There is some concern that DoD acquisition of new land would affect tourism assets. Although a direct function of new security measures following the September 11, 2001 attacks, the effective closure of Tarague and Jinapsan Beaches (below Andersen AFB) to tour groups and convenient resident access remains a lingering issue on Guam.

When considering the proposed acquisition sites however, **no specific tourism assets have yet been identified in those locations.** However, the GVB (Appendix D – GVB Interview) specified the Guam International Raceway as a prime focus of concern due both to its economic role in attracting racers from Asia and also because of its general social value as a place where military and civilians mingle and a venue for keeping young hot-rodders off the public roads.

Socioeconomic Impact Assessment Study – Appendices – GVB Interview Feb. 10, 2009 – Page 110:

6. Q: Example of feared additional loss of assets through buildup? A: Guam Raceway Track big deal because (a) many people spent blood, sweat, and tears to site out facility well-used by community; (b) provides outlet for hot rodders instead of on street; (c) become part of circuit for Asia, so has economic value. This is also a place that brings military and civilians together with common interests. If that's acquired, needs to be replaced somewhere, someplace. Would have major good will if replaced anything better than what they have; should add new amenities. Mitigation is social, tourism, financial, and political.

Comment:

K-034-001

Many of the proposed actions and alternatives were not publicly disclosed until the release of DEIS. Therefore, it would have been difficult for anyone to make determinations of specific assets which support the industry and which may be impacted. Nor did the specific question in the GVB interview, included in Appendix D, appear to convey to the interviewee what areas would be affected. Three identifiable areas are indicated in Volume 2: Former FAA, Route 15 Area, and the Harmon Area. The Route 15 area along the east coast, including Pagat Bay, is a particular concern. Much of the area remains pristine and located in the area is Marbo Cave – a popular hiking destination. The area is and continues to be a popular site for visitors. Furthermore, land acquisitions are not the only consideration. Nothing in the analysis considered the effects on tourism assets by increased highway traffic related to the construction phase. Also, given that the entire island is a tourism asset, the DEIS has completely underestimated the scope and magnitude of what the tourism assets are.

Sincerely,

  
Benjamin J.F. Cruz

K-034-001

Thank you for your comment. The socioeconomic interviews were conducted concurrently with the revisions to the alternatives; subsequently the discussion of specific alternatives were not discussed during the interviews. The potential impacts to the visitor industry are discussed in the Socioeconomic Impact Assessment Study (SIAS) that was incorporated in the DEIS as Appendix F in Volume 9 of the DEIS.

DoD acknowledges that maintaining access to important cultural and recreational sites is important. However, restrictions to certain areas are required to maintain public safety. Although plans concerning access to sites potentially impacted by the proposed action have not been developed, DoD will provide access to cultural sites (such as Marbo Cave, Pagat, and Mt. Lamlam). DoD looks forward to working with stakeholders in developing plans for access that balance operational needs, public safety concerns, and the continuing public use and enjoyment of these sites.

February 2, 2010

JGPO,  
c/o NAVFAC Pacific,  
258 Makalapa Drive Suite 100,  
Pearl Harbor, HI 96860-3134,  
Attention: GPMO

Re: Volume 9: Appendix F - Socioeconomic Impact Assessment Statement

Table 4.3-26. Assumptions for Local Government Revenue (Unconstrained)

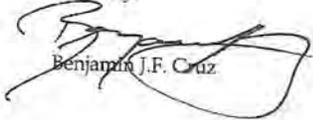
Table 3.3-10. Revenue Sources for the GovGuam

Comment:

K-035-001

Under your unconstrained analysis, you assume that corporate income tax revenue will be realized by the government of Guam at 17 percent of the income tax base, yet you acknowledge in Table 3.3-10 that the range of corporate income taxes on Guam is 15 to 35 percent. What is the rationale for using 17 percent in light of this range and how do you arrive at a \$37 million (.17 x \$218 million) revenue figure from corporate income taxes in 2014? There doesn't seem to be anything in the DEIS explaining a taxable amount for which the 17 percent is based on. The DEIS should assure that Guam receive ALL the revenue it should receive under the Federal Income Tax Code for individual corporate taxpayers. Furthermore, the DEIS should assure that Guam receive ALL Business Privilege Taxes for all material brought to Guam.

Sincerely,



Benjamin J.F. Cruz

**K-035-001**

Thank you for your comment. The assumption that the corporate tax rate will be charged at 17% is a conservative assumption to ensure that estimates of corporate tax revenues to the government of Guam were not exaggerated. Had the estimate assumed the highest possible rate (34%) then there would be a much higher probability that the estimate of tax revenues to Guam would have been overestimated rather than with the 17% rate that was assumed.

To estimate corporate tax revenues, the total cost of activity related to the proposed action, for each year, was multiplied by an assumed corporate profit margin (6% as noted in Table 4.3-26) and the profit was multiplied by 17% which was the assumed corporate tax rate.

The EIS does not include tax collecting procedures by the government of Guam as they are not part of the proposed action and is under the purview of a local agency.

February 2, 2010

JGPO,  
c/o NAVFAC Pacific,  
258 Makalapa Drive Suite 100,  
Pearl Harbor, HI 96860-3134,  
Attention: GPMO

Re: **Volume 9: Appendix F – Socioeconomic Impact Assessment Statement**

**Table 4.3-26. Assumptions for Local Government Revenue (Unconstrained)**

Comment:

**K-036-001** There is no analysis of your action's impact on the Monthly Excise Tax Occupancy of Hotel and Similar Lodging House Facilities, also known as the hotel occupancy tax. The revenue source is vital in efforts to market Guam as a tourist destination. To omit such an analysis implies there will be no impact on tourism. Is this what DEIS is implying?

Sincerely,



Benjamin J.F. Cruz

**K-036-001**

Thank you for your comment. No, there is not an implication that there will be no impact on hotel occupancy tax. The analysis of government revenues in Section 4.3.3 of the Socioeconomic Impact Assessment Study is intended to be an approximate measure of revenue from certain major sources; it is not intended to be a complete accounting of revenues. A Fiscal Impact Assessment is currently being undertaken by consultants to the Governor of Guam and is intended to address the tax revenue issue more completely.

Language clarifying the intent of the revenue analysis in the DEIS was added to the Final EIS.



Joint Guam Program Office  
c/o NAVFAC Pacific,  
258 Makalapa Drive Suite 100,  
Pearl Harbor, HI 96860-3134,  
Attention: GPMO

**Re: Volume 7: Long Term Impacts of NO ACTION on Tourism**

Long term, the island's prospects would remain linked to international economic conditions and the health of its tourism industry. Conceivably, a smaller military profile might remove some barriers to growing the potential Chinese tourism market. Growth would resume, though probably with the same volatility experienced in recent decades.

K-037-001

**Comment:** In this section, the DEIS aligns with economist and Bank of Guam Vice President Joe Bradley in the analysis that tourism and the military buildup are incompatible.

Though Guam's tourism industry has been somewhat "volatile," it has sustained the island's economy. The Guam Visitors Bureau has been working diligently to diversify the island's visitor profile to include Chinese tourists.

The military buildup would, first, shut Guam off to that market. Second, the military's imposing presence and environmental degradation would eventually render Guam solely reliant on a military consumer-driven economy.

This is unrealistic and unfeasible. Volatility we have survived, but to propose a military buildup of this magnitude is essentially asking that Guam surrender its livelihood in favor of five to eight years of uncertain subsistence.

Sincerely,

Benjamin J.F. Cruz

**K-037-001**

Thank you for your comment. Environmental impact statements identify the probable impacts of the proposed action and its alternatives. By identifying these impacts and along with public and agencies comments, the decision makers are better able to assess environmental consequences of the proposed action. The Final EIS includes comments, responses, revisions, and views received during the DEIS process; this provides the decision makers with a document that represents input from scientists, the lead agency, the public, interested groups and organizations, elected officials, and governmental agencies.



JGPO,  
c/o NAVFAC Pacific,  
258 Makalapa Drive Suite 100,  
Pearl Harbor, HI 96860-3134,  
Attention: GMPO

**Re: Volume 9– Chapter 4.3.7 Tourism**

The supplanting of a cultural tourism branding for one that is more militarized appears to be a strong possibility, as Japan remains the source of 80% of Guam's visitors, and there has been extensive publicity in Japan about the proposed action. However, a maximum potential adverse outcome is not inevitable. Among the factors that could determine what does actually happen would be:

- Military cooperation in exposing personnel to Chamorro culture and history themselves
- Visible presence of military police in tourist areas frequented by many off-duty Marines, to reassure Japanese visitors with negative perceptions from media accounts
- Overall military-civilian relations and communications efforts (see Section 4.5.3) that would also affect a sense of partnership with the visitor industry

**K-038-001**

**Comment:** These factors have nothing to do with Guam's perception by Japanese of Guam being a big military base made up of troops that Japan did not want. Exposing military personnel to local culture will have no affect on how foreigners view Guam. Having military police in tourist areas will only reinforce the perception of a militarized island. A military-civilian partnership, while good, will not provide tourists with a unique Chamorro cultural experience.

**Recommendation:** The final EIS must reflect meaningful factors that would affect Guam's image to prospective visitors and must provide viable mitigation measures.

Sincerely,

Benjamin J.F. Cruz

**K-038-001**

Thank you for your comment. Please see the Socioeconomic Impact Assessment Study (Appendix F of the EIS), Section 4.3.7 for information and discussion on tourism. The analysis of the impacts on tourism generally reflect that the impacts of the proposed action would have on tourism would be mixed. Tourism may decline as some visitors may shy away from Guam due to construction activities and an increased military presence on the island but that would be made up for by increased visits from members of the military who are tourists while their ships are docked on Guam. The increase in military tourism is included in the population estimate.



February 2, 2010

JGPO c/o NAVFAC Pacific  
258 Makalapa Drive, Suite 100  
Pearl Harbor, HI 96860-3134  
Attention: GPMO

**Re: Volume 9 Chapter 4.3.7 Tourism Impacts on Ocean-Based Tourism from  
Environmental Degradation**

The greatest focus of concern would be from dredging at Apra Harbor. Because of rough waters outside the harbor and in many other parts of Guam's shoreline close to the main resort area of Tumon Bay, Apra Harbor is the single most popular site for both recreational divers and commercial (mainly tourist oriented) diving operations. Siltation from dredging already affects visibility and has diving operations concerned about possible permanent coral loss (Appendix D - Marianas Yacht Club Interview 1).

K-039-001

**Comment:** Apra Harbor is one of Guam's premier tourist attractions. The continued viability of scuba diving and submarine tours is dependent upon underwater visibility. The siltation that will occur by the massive scale of proposed dredging in the harbor will destroy the only place on Guam where shipwrecks can be viewed and a tourist submarine can operate.

**Recommendation:** No Action. The dredging needed to accommodate berthing of an aircraft carrier must not be allowed.

Sincerely,

  
Benjamin J.F. Cruz

### K-039-001

Thank you for your comment. As described in Chapter 4 of Volume 4, impacts to water quality in Apra Harbor from dredging would not be permanent and would occur during the construction period. Given the course nature of Outer Apra Harbor sediments, it is likely that the majority of the suspended sediment would settle out rapidly, resulting in a much shorter turbidity plume than otherwise would be the case. Best management practices such as silt curtains and operational measures would be used to prevent suspended sediments from exceeding Guam Environmental Protection Agency water quality standards, and frequent monitoring during construction to ensure the effectiveness of suspended sediment containment would be performed. Should exceedances of water quality standards occur, construction activities would be suspended until the total suspended solids levels returned to acceptable levels. The sedimentation controls would reduce impacts to aquatic communities and water quality outside of the project area.



February 1, 2010

JGPO,  
c/o NAVFAC Pacific,  
258 Makalapa Drive Suite 100,  
Pearl Harbor, HI 96860-3134,  
Attention: GPMO

Re: Volume 9 – Appendix F Page 4-28 Socioeconomic Impact Assessment Study

Table 4.3-35. Construction Component Assumptions for GIP (Unconstrained)

Comment:

**K-040-001** Using Hawaii models to calculate percent of gross pay would not seem appropriate for the calculations for Guam's Gross Island Product on page 4-28 in DEIS Volume 9 Appendix F. The characteristics of Hawaii's construction workforce would be more akin to the U.S. mainland than Guam, which historically is heavily dependent on H2B workers. A study on purchasing habits of Guam's construction workforce would be appropriate.

The economic benefits of your proposed actions are a recurring theme in favor of the buildup. Because you are using GIP as a measure of economic activity, it is only appropriate that the public be given accurate information.

Sincerely,

Benjamin J.F. Cruz

**K-040-001**

Thank you for your comment. The the Hawaii economic model was utilized because there is no Guam economic model. Careful and diligent effort was undertaken to ensure that the results of the economic impact analysis reflected the unique circumstances of the Guam economy. Also, please note that the Socioeconomic Impact Assessment Study (Appendix F in Volume 9 of the DEIS) produces both an unconstrained and a constrained analysis; while both analysis were customized to represent Guam, the constrained analysis used multipliers that were reduced greatly from standard Hawaii multipliers and lower than any typical modern multiplier.



February 1, 2010

JGPO,  
c/o NAVFAC Pacific,  
258 Makalapa Drive Suite 100,  
Pearl Harbor, HI 96860-3134,  
Attention: GPMO

Re: Volume 9 – Appendix F Page 4-12

Unconstrained Analysis ....

*Estimation of Effects*

Guam incomes are expected to rise. The estimated average FTE salary for jobs related to the construction phase (\$33,500) can be compared to the 2007 Guam average FTE salary of \$28,150. The average FTE salary for jobs related to the military operational phase (\$40,000) can be compared to the 2007 Guam average FTE salary of \$28,150. ...

Comment:

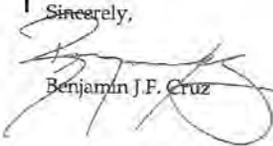
K-041-001

In your draft, the average full-time salary on Guam is \$28,150. The estimated full-time equivalent salary for jobs related to the construction phase will be \$33,500 and \$40,000 for the military operational phase. There does not seem to be anything proposed to mitigate the wage disparity and resulting inflation which will adversely impact the local population.

The inflation will be sharp in the initial portion of the construction phase, because of limited nearby labor supply, housing, construction supplies and materials and financing to support the buildup.

The Department of Defense should lobby Congress to repeal or suspend the Jones Act or give public access to the military's subsidized Naval and Air Force exchange services.

Sincerely,

  
Benjamin J.F. Cruz

### K-041-001

Thank you for your comment. Relating to cost of living and the proposed military buildup, it is noted that the history of inflation and recession of Guam's economy from the 1970s to present was provided on page 3-47 of the SIAS. In subsection 4.3.1.4 (beginning page 4-10) of the SIAS, the subject of impact on the standard of living is addressed, stating: "Standard of living is a measure of purchasing power. If the standard of living increases for a person it means they can purchase more goods and services. If the standard of living declines for that person, he or she can purchase fewer goods and services. Changes in a person's standard of living are determined by their income and the prices of the goods and services they tend to purchase. A person's standard of living will increase if their income rises faster than the prices of goods and services they tend to purchase. A person's standard of living will decline if the prices of goods and services they tend to purchase rise faster than the person's income. In both the construction and operational components, the average wage of workers would increase as a function of greater demand for labor. However, the price of goods and services purchased by individuals would rise as well. It cannot be definitively predicted whether wages or the price of goods and services would increase at a faster pace. If wages earned by a particular household rise more quickly than the price of goods and services, then the standard of living would increase. If the price of goods and services rises more quickly than wages, the standard of living would decrease. For households on fixed incomes, the result would be reduced purchasing power. Those with the ability to quickly renegotiate their wages will have a better chance at maintaining or increasing their standard of living." On page 4-11 of the SIAS, the discussion continues and discusses the income of military related construction and operational jobs that will, on the average, be higher than the present average wages on Guam. It concludes: "In terms of cost of living, from 2000 to 2008 Guam workers have seen their standard of living decline by 30% and there is no reason to expect the military buildup to reverse that trend – Guam workers will likely to

continue to see the cost of goods and services rise faster than their incomes. While the proposed action may not represent a reversal of this trend, it will slow the rate of decline in the standard of living that has been prevalent since 2000."

The benefits to the military, including having access to discount stores and to other stores and services on-base are part of DoD policy and not part of the proposed action. Also, the Jones Act is under the purview of DOT and not part of the proposed action.



**K-042-001**

Thank you for your comment.

February 3, 2010

JGPO,  
c/o NAVFAC Pacific,  
258 Makalapa Drive Suite 100,  
Pearl Harbor, HI 96860-3134,  
Attention: GPMO

**Re: Volume 9 – Appendix F Page 4-38**

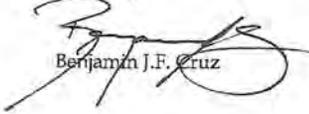
*Tourism Market Loss Due to Construction*

Although there was initial concern about this issue, industry leaders interviewed for this SIAS now consider it a minimal risk. Historical evidence also shows that the hotel construction boom during the 1980s and 1990s was centered in the Tumon Bay resort district itself, and the tourism market was able to grow nevertheless.

**Comment:**

**K-042-001** What your analysis does not consider is that while the construction activity during that time may have been substantial, it was also led by the industry itself, whose interests it would have protected through the manner in which the construction projects were undertaken.

Sincerely,

  
Benjamin J.F. Cruz

JGPO,  
c/o NAVFAC Pacific,  
258 Makalapa Drive Suite 100,  
Pearl Harbor, HI 96860-3134,  
Attention: GMPO

**Re: Volume 9– Chapter 4.3.1.4 Potential Effects on Standard of Living**

In terms of cost of living, from 2000 to 2008 Guam workers have seen their standard of living decline by 30% and there is no reason to expect the military buildup to reverse that trend – Guam workers will likely to continue to see the cost of goods and services rise faster than their incomes.

**K-043-001**

**Comment:** From the onset of buildup related construction activity until its peak, Guam will experience a period of rapid inflation. The recession that will follow the peak period will further erode the quality of life of the people of Guam.

**Recommendation:** The Department of Defense should support the efforts of the Government of Guam to diversify its visitor industry source markets through visa waivers for citizens of China and Russia.

Sincerely,



Benjamin J.F. Cruz

**K-043-001**

Thank you for your comment and recommendation. Inflation was addressed in other responses to your comments. Changes in immigration and Homeland Security policies that are not within the purview of DoD's actions.

Senator Judith Paulette Guthertz, DPA  
Assistant Majority Leader



*I Mina Trenta na Liheslaturan Guåhan*  
Thirtieth Guam Legislature

CHAIRPERSON, COMMITTEE ON THE GUAM MILITARY BUILDUP AND HOMELAND SECURITY  
135 Hester Place, Hagåtña, Guam 96910 • Phone: (671) 472-4141/415834 • Fax: (671) 472-6347 • judguthertz@pnc.com

February 8, 2010

Major General David Bice, USMC (Ret.)  
Executive Director  
Joint Guam Program Office (JGPO)  
PSC 455 Box 152, FPO AP 96540-1000

Dear General Bice:

**GUTHERTZ COMMENT PAPER ON AIRCRAFT CARRIER BERTHING  
-AN OFFICIAL INPUT FOR THE REVIEW OF THE DEIS -**

**K-044-001** **ISSUE:** The Navy desires to have transient aircraft carriers be able to visit Guam more often than in the past, for a cumulative total of up to 63 visit days per year, with an anticipated length of 21 days or less per visit. The DEIS states that this capability is required to support increased aircraft carrier operational requirements in the Western Pacific and Indian Ocean." (DEIS, Volume 4, page 1-1).

**BACKGROUND:** The DEIS states that "Previous nuclear powered aircraft carrier berthing has been at Kilo Wharf. However, the longer transient visits would interfere with existing munitions operations and therefore require a new deep-draft wharf that can accommodate the transient aircraft carrier. Additionally, due to the length of a transient visit, shoreside infrastructure for utilities (i.e., power, wastewater management, potable water supply) must be improved to minimize or eliminate reliance on shipboard systems while in port." (DEIS, Volume 4, page 1-1).

In the early 1970's, carriers and ammunition ships berthed at Hotel Wharf, which is over on the Glass Breakwater side of the harbor. Ammunition ships carry with them Explosive Safety Quantity - Distance (ESQD) arcs of distance that restrict activity and presence to protect against possible blast damage if the ammunition explodes. With the Hotel Wharf near the Guam Commercial Port, the ESQD prevented the expansion of the commercial port. Accordingly, the Navy developed a plan to build a new wharf in Sella Bay with a connecting road to the Naval Magazine.

Governor Camacho approved of an acre for acre swap of land to enable this project that needed both public and private land. However, one senator in the Guam Legislature, Paul Bordallo, took the matter to the U.S. 9<sup>th</sup> Circuit Court which ruled, in 1974, that the Legislature had to approve any land deal made between the Governor and the military.

The Navy was planning on using eminent domain to acquire the needed land when the Commander of the U.S. Naval Forces Marianas, RADM G. Steve Morrison, maneuvered the situation against the official position of the Navy Department to select Orote Point as the new location for the wharf, remaining within the existing Navy footprint. He obtained the support of the local community, the Legislature, and the Governor for this option that cost

**K-044-001**

Thank you for your comment. As described in Chapter 2, Volume 4 of the EIS, the Navy reviewed several alternatives for wharf location, wharf alignment, turning basin location/radius, and channel alignment. After careful review of the alternatives based on selection criteria including practicability and minimizing environmental impacts to the extent practicable, Polaris Point and the Former SRF were the only two locations that met the selection criteria as described in Volume 4, Section 2.3.1 of the EIS.



**K-044-001** more than the Sella Bay option. His maneuver worked, and the new ammunition wharf has since been located near Gab Gab beach on Orote Point, permitting the commercial port to expand without any loss of additional land to the military.

**K-044-002** In that timeframe, many possible sites were studied for a new wharf. Now, the DEIS is blowing over old ground, reinventing the wheel. The depths of the water have not changed and the locations of coral have not changed. The DEIS process looked at 12 sites and ended up with a preferred site at Polaris Point with a close second site at the SRF area.

However, both of these sites would require the destruction of about 36 acres of coral. The desired depth of water should be 49.5 feet for aircraft carriers, since their navigational draft is 37 feet. In today's "green" environment, the proposed destruction of coral has created a firestorm of criticism. In my opinion, absent a major war, it is politically infeasible to destroy that much coral for any single project. This uproar is especially heightened when the only proposed mitigation in the DEIS is to create artificial reefs. Just look at what happened to the millions of old rubber tires dumped off the coast of Florida to create artificial reefs. They broke their moorings and have been scattered all along the coast. An absolute ecological disaster has occurred.

**K-044-003** **RECOMMENDED ALTERNATIVE:** In 1990 an Iowa class battleship, Wisconsin, visited Guam and moored along the fuel pier, which is labeled as the Delta/Echo Wharves. This battleship has the same navigational depth, 37 ft., as an aircraft carrier, with a beam of 108 ft., compared to the 252 ft. beam of a Nimitz-class carrier. This location provides a nice straight-in approach clear of the coral fields. However, the DEIS accurately points out that the gap between these wharfs and the Commercial Port side of that channel is only 803 ft. The commercial container ships have 34 ft. navigational draft and a beam of 106 ft. This gap is therefore too narrow for a Nimitz-class carrier, with its angled decks going out the port side, for large commercial freighters to maneuver past. Add that to the 106 ft. beam of the container ship and the total is 358 ft. Subtracting 358 ft from the 803 ft gap in the channel leaves only 445 ft. for safe passage.

Safe passage is possible, but certainly not a desirable squeeze. It reminds one of the channel going into Miami harbor. This tight situation is especially pertinent in light of new security postures since the attacks of 9/11. The aircraft carrier needs a buffer zone around it. This wharf would be exposed to non-military personnel on the merchant ships and within the commercial port area, just across the waterway.

The aircraft carrier Kitty Hawk, slightly smaller than the Nimitz class ships, visited Guam and was able to moor at Delta/Echo wharves, but the Nimitz class cannot moor there because of the depth and the tight width situation as described above.

An option would be for the gap to be widened and the berth be deepened. This would be expensive, but not as expensive as dredging 36 acres of coral. The land area on the military side of the channel would be the area subject to removal to widen the gap. It would only need to be widened enough to cover the length of the carrier, 1092 feet.

## **K-044-002**

Thank you for your comment. A detailed compensatory mitigation plan would be submitted as part of the Clean Water Act (CWA) 404 permit application for construction affecting the navigable waters of the United States (including the CVN transient wharf). Due to the ongoing review of DoD's habitat assessment methodology for coral reef ecosystems and associated uncertainties regarding the scope of mitigation required, a detailed mitigation plan has not been developed nor will one be available for incorporation into the Final EIS. However, a number of mitigation options, including watershed restoration and the use of artificial reefs, are discussed in programmatic nature in Volume 4, Section 11.2 of the Final EIS. DoD recognizes that, as part of the CWA Section 404 permitting process, additional NEPA documentation may be required to address specific permitting requirements and implementation of required compensatory mitigations.

## **K-044-003**

Thank you for your comment. Delta/Echo Wharves were considered and dismissed as potential wharf locations as described in Section 2.3.5, Volume 4. Additional text has been added to clarify why Delta/Echo Wharves are not feasible, including having to move utility lines associated with the fuel piers.

Chapter 1, Volume 4 describes the reasons why Kilo Wharf is not considered a practicable alternative. Kilo Wharf is already near capacity without considering the aircraft carrier visits. Kilo Wharf is the only wharf in Apra Harbor that has approval for large quantities of munitions and a waiver is required for ships carrying ammunition to berth in Inner Apra Harbor. The evaluation of the capacity of Kilo Wharf is based upon the wharf's use for loading and unloading ammunition carrying ships. The smaller load-outs of ammunition to combatant ships are already accomplished at the berths in the inner harbor. No additional capacity can be created at Kilo Wharf as the capacity is based upon use of Kilo



K-044-003

Another option, which I prefer and recommend, is to use Kilo Wharf. This is the location ultimately selected from many alternatives in the 1974-1975 search and evaluation process. Aircraft carriers use this wharf at this time. It is currently undergoing improvements, by International Bridge Corporation (IBC/TOA Corp.), to extend the length of the wharf from 400 feet to 800 feet. This MILCON project is for about \$43 million, to be finished this year, and is designed "to accommodate the new T-AKE class of ammunition vessels and meet current seismic standards." (NAVFAC Marianas media release of November 25, 2008). The T-AKE class ships are for dry cargo and ammunition. Their draft is 29.9 ft, their length is 689 ft, and their beam is 106 ft. These new ships require a tie-down of 800 ft., double the length of the current wharf.

The previous wharf depth of 45 ft. alongside was sufficient for aircraft carriers. Length was the issue. That issue is being taken care of. Power, water, wastewater, phones, and IT connections are available at Kilo Wharf. However, they are sized to support a Military Sealift Command (MSC) vessel (small crew). Their capacity would need to be enhanced to support the aircraft carrier.

The rationale in the DEIS for dismissing this alternative is that it is "operationally not practical." (Vol. 2, page 2-9). The text on page 2-12 states, "This wharf is DoD's only dedicated munitions wharf in the Western Pacific Region. For planning purposes, Apra Harbor currently supports an average of 16 days in port per year for carrier and CSG [Carrier Strike Group] port calls (However, as described in Chapter 1, this schedule varies based on Fleet operational requirements). Currently, the visits are disruptive to munitions operations, but manageable. The proposed increased frequency and duration of carrier visits (a maximum of 63 days in port per year) coupled with expected increased ammunition ship operations would result in a significant negative impact on the ability of the Navy to meet its munitions mission, as described in Chapter 1 of this Volume."

The Navy believes that while the Kilo Wharf can accommodate short visits of Nimitz class carriers, it cannot accommodate the longer term visits envisioned for the Transient CVN Wharf, because it needs to be free for its primary mission of ammunition onload/offload.

Thinking outside the box, it comes to mind that if the capability desired for accommodating an ammunition ship matches, roughly, the same requirements as for an aircraft carrier, the obvious solution is to use Kilo Wharf for both the aircraft carriers and the ammunition ships.

Security is maximized in this location. It is near to the harbor entrance, which enhances the ability to exit the harbor quickly for emergency sorties to open seas in the event of any threat, whether weather or manmade. Yet it is deep inside the fences of the Navy base, which enhances the protection of the ship. Finally, it is near the quality of life facilities located on the Navy base.

The solution is to moor the ammunition ship at one of the deep draft buoys in outer Apra Harbor, where the Maritime Pre-position Ships (MPS) moor, whenever there is an overlap in their schedules. This location for the ammunition ship would only be needed for those days when the aircraft carrier is moored to Kilo Wharf. The aircraft carriers would still be able to visit Guam at an enhanced frequency and duration compared to now.

Wharf by ships not capable of performing their mission in the inner harbor. These waivers are not readily granted because the large quantities of explosives berthed at a wharf that is unauthorized for large net explosive weights would represent an increased safety risk to nearby populations. There are also other challenges associated with an aircraft carrier berthing at Kilo Wharf that are manageable for the short duration port visits, but would be untenable for longer transient berthing requirements that include logistics, maintenance, and Morale Welfare and Recreation (MWR) support. Dependents, vendors, commercial delivery vehicles and non-DoD personnel are prohibited from entering the explosive safety arcs around Kilo Wharf. There is limited space for MWR activities at Kilo Wharf. For these reasons, expanding Kilo Wharf or moving existing munitions operations to other wharves is not practical.



**K-044-003** This alternative was NOT studied in the DEIS. The DEIS states that the current scheduling overlaps are manageable, but fears that with enhanced carrier port visits and increased ammunition ship visits that the situation will become more difficult. I assert that this cannot be proven. I further assert that this option is a feasible fall-back option to the DEIS' preferred option. I assert that the preferred option is a "NO-ACTION" option so the fall-back one must be chosen, even if port operations may be more difficult than in the past. In the words of General Bice relative to the firing range, "it just comes down to a scheduling challenge."

No dredging of coral would be required. Extensive dredging has recently been conducted around Kilo Wharf, primarily to clear rock and coral under and adjacent to the extension itself in order to provide new footings for the extension. The limiting depth on the chart is 52 ft. for the approach to the wharf, with 45 ft. alongside.

If one looks at the overall situation from a viewpoint of maximizing the satisfaction of the military's needs, then one is led to the conclusions found in the DEIS. If one looks for a balance of the military and civilian community's needs, as envisioned by Assistant Secretary Natsuhara, then this proposal for Kilo Wharf is the best alternative. It provides for a "win-win" accommodation of both communities' core interests. The aircraft carriers would have more ship visit days in Guam as desired by the military, and the coral would remain untouched as desired by the civilians.

I believe that a firestorm within the civilian community has begun over the coral destruction issue. Therefore, the best course of action is to accommodate the civilian need to avoid any further destruction of coral by selecting Kilo Wharf for the aircraft carrier location. A compromise is needed that provides for the core-interests of both sides being protected. My solution does that.

*Sincerely,*

Judith P. Guthertz, DPA  
Senator

c: Barack Obama, President of the United States  
The Honorable Felix P. Camacho, Governor of Guam  
The Honorable Hillary R. Clinton, Secretary of State  
The Honorable Robert Gates, Secretary of Defense  
The Honorable Ray Mabus, Secretary of the Navy  
The Honorable Michael B. Donley, Secretary of the Air Force  
The Honorable Madeleine Z. Bordallo, Guam Delegate to Congress  
The Honorable Gregorio Sablan, CNMI Delegate to Congress  
The Honorable Ken Salazar, Secretary of the Interior  
The Honorable Benigno R. Fitial, Governor of the Commonwealth of the Northern Mariana Islands  
The Honorable Roger Natsuhara, Assistant Secretary of the Navy for Installations and Environment  
The Honorable Anthony Babauta, Assistant Secretary of the Interior for Insular Affairs  
Rear Admiral Douglass Biesel, U.S.N., Commander, Joint Region Marianas  
Brigadier General Philip Ruhlman, U.S.A.F., Deputy Commander, Joint Region Marianas  
All Senators, 30th Guam Legislature

**K-045-001**

Thank you for your comment.

**COMMENTS BY SENATOR JUDI WON PAT**1  
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MS. WON PAT: Thank you. Buenas and hafa adai. This is Judi Won Pat, Taotao Inarajan. I wanted to prepare this, what I wanted to say rather for the youth. So, for all of those of you who are out there, like Bernadit Grajek says, subtract 30 years from you age today.

I will submit an official testimony on the specifics of the DEIS, but for today I want to encourage the youth to speak up for yourselves and ask those of my generation and my parent's generation who are survivors of the war to embrace and support the children who would stand up for the island they will inherit.

Our history, the history of the people of Guahan is rooted in the struggle of inalienable rights our ancestors fought for over a multiple generations past. Today, the fight continues, for this military buildup is yet another example of how our people have been ignored, our voices have been silenced and our livelihood taken for granted. But as our

**DEPO RESOURCES**  
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**Court Reporter**  
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K-045-001

1 people have always -- but as our people have  
2 always remained steadfast, remain resilient  
3 through countless acts of injustice, we too  
4 today will continue the fight.

5           So, I say to the youth, this is your  
6 time to seize the future, this is our time to  
7 rise again in support of your efforts. The  
8 opportunity has presented itself for you to  
9 take responsibility for what is to come to this  
10 island even though every part of this massive  
11 buildup has attempted to keep us out of the  
12 process. You have the right as sons and  
13 daughters of Guahan to speak up, to rise and  
14 take control of your environment and your  
15 island. I have no intention to remain silent  
16 on this issue, which would affect all of us.  
17 But for those of us who are getting older, we  
18 know that this is your future and we must work  
19 together.

20           Each one of us has a choice to remain  
21 complacent and silent or let your voices be  
22 heard and your love for this island be felt in  
23 the hearts of those who attempt to decide our  
24 futures for us. This is not only a Chamorro  
25 issue, it is about all of us who love this

**DEPO RESOURCES**

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**Court Reporter**

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K-045-001

1 island, who want to make this our home, to  
2 raise our children here and intend to die here.  
3 Speak now, let the silence be broken. I want  
4 to also announce that the Guam Legislature will  
5 be holding its own public hearing on the DEIS,  
6 to hear you as the hearings provided by the  
7 Navy has not been adequate forms for public  
8 input on such an important issue. A delegation  
9 from the legislature will hand carry  
10 testimonies to the House Arm Forces, Arm  
11 Services Committee, the Senate Committee and  
12 Arm Services, the Secretary of the Navy and to  
13 the President of the United States on behalf of  
14 the people of Guam.

15 The dates for public hearings are  
16 Monday, January 25<sup>th</sup>, from 4 to 9 p.m. at Santa  
17 Rita's Southern High School, Tuesday, January  
18 26<sup>th</sup>, 4 p.m. to 9 p.m. Yigo Senior Center,  
19 Friday, January the 29<sup>th</sup>, Sinajana Senior  
20 Center. We must remember that this fight does  
21 not end here, this is only the beginning. We  
22 must continue to speak, we must continue to  
23 remain active and we must continue to fight our  
24 right to defend our home and our children,  
25 Saina Ma'ase.

**DEPO RESOURCES**

George B. Castro

**Court Reporter**

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Senator Judith Paulette Guthertz, DPA  
Assistant Majority Leader



*I Mina Trenta na Liheslaturan Guahan*  
Thirtieth Guam Legislature

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January 21, 2010

Major General David Bice, USMC (Ret.)  
Executive Director  
Joint Guam Program Office (JGPO)  
PSC 455 Box 152, FPO AP 96540-1000

Dear General Bice:

I would like to express my sincere appreciation for your presence at all four JGPO public meetings, and your willingness to discuss issues with attendees who had inquiries. I am also mindful that you remained to hear all testimony, and I want to thank you for making the effort to listen, and consider what our people had to say.

Attached to this letter is my COMMENT PAPER ON LAND ISSUES, which is my formal testimony on the Draft Environmental Statement (DEIS). As the title indicates, this comment specifically concerns land for military housing and a firing range. This COMMENT PAPER is my attempt to provide a constructive way out of our current dilemma regarding land needs for the buildup.

I am hopeful that you and your colleagues will read my submission with the knowledge that my goal is to develop practical, workable, win-win solutions so the buildup will benefit both our great nation and our great island.

I will submit several additional comments on other DEIS issues at a later date.

*Senseramente,*

Judith P. Guthertz, DPA  
Senator

Attachment

cc: Barack Obama, President of the United States  
The Honorable Felix P. Camacho, Governor of Guam  
The Honorable Robert Gates, Secretary of Defense  
The Honorable Ray Mabus, Secretary of the Navy  
The Honorable Michael B. Donley, Secretary of the Air Force  
The Honorable Madeleine Z. Bordallo, Guam Delegate to Congress  
The Honorable Gregorio Sablan, CNMI Delegate to Congress  
The Honorable Ken Salazar, Secretary of the Interior  
The Honorable Benigno R. Fitial, Governor of the Commonwealth of the Northern Mariana Islands  
The Honorable Roger Natsuhara, Assistant Secretary of the Navy for Installations and Environment  
The Honorable Anthony Babauta, Assistant Secretary of the Interior for Insular Affairs  
Rear Admiral Douglass Biesel, U.S.N., Commander, Joint Region Marianas  
Brigadier General Philip Ruhlman, U.S.A.F., Deputy Commander, Joint Region Marianas  
All Senators, 30<sup>th</sup> Guam Legislature

Senator Judith Paulette Guthertz, DPA  
Assistant Majority Leader



*I Mina Trenta na Liheslaturan Guahan*  
Thirtieth Guam Legislature

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January 21, 2010

## GUTHERTZ COMMENT PAPER ON LAND ISSUES

Response to Guam Draft Environmental Impact Statement of November 2009

### BACKGROUND AND STATEMENT OF THE PROBLEM:

The outpouring of emotion at recent JGPO public hearings on Guam's military buildup was remarkable. Over a thousand residents testified with less than ten taking a positive approach.

Even Guam's Governor, who did not attend any portion of any of the JGPO hearings, has commented on the emotion and passion expressed. He and I agree that the buildup will happen and the need exists to translate this emotion into practical actions to get the military to change what it currently plans to do, in the direction of accommodating the general feeling of those who testified.

Even the Chamber of Commerce, comprising eight of those who testified in favor, has now modified its position saying that the buildup should happen, but in a manner that does not harm the people of Guam but instead brings benefits to them.

**K-046-001** In my analysis, there were two main themes among those who testified. The first is the protection of the Chamorro culture, the way of life, and the quality of life. These must be enhanced, not degraded, by the buildup.

**K-046-002** The second theme was absolute opposition to any threat or use of condemnation (eminent domain) by the federal government to obtain additional land. An integral part of this theme is the opposition to the military gaining any additional land for the buildup, in any manner. The consensus, even by the Chamber, is that the current military footprint is sufficient for the buildup.

What does this all mean? I agree that our Marines should arrive to a hospitable reception. Will that happen if the federal government seeks to gain additional land and seeks to gain it by condemnation? I doubt it.

The DEIS Alternatives A and B for the firing range, involve the private property of the Nelson clan. A large number of that clan testified at the hearings. In fact, several of the youth who organized "We Are Guahan," carry Nelson blood. The clear and firm testimony from the Nelsons is that they will never consent to their land being taken by the military. There will be no negotiated solution, no price high enough, for these lands. The military will have to go through a long and difficult condemnation process to acquire it, including approval by the House and Senate Armed Services Committees and an open trial by jury in court. Imagine the bad publicity and the negative sentiment that will be generated by this process.

### K-046-001

Thank you for your comment. Through the process of public involvement that has accompanied this proposed action (see Final EIS, Volumes 1 & 10), the Chamorro people of Guam have voiced clearly and concisely their concern that the traditional Chamorro culture, including dance, language and traditions, will be forgotten or significantly marginalized by western culture. While population increases can highlight cultural differences, they also present unique and new opportunities for cultural learning and sharing. As indicated in the Final EIS (Volume 2, Section 16.2.5; Volume 4, Section 16.2.5), the DoD plans for cultural sensitivity orientation and awareness programs which will focus on mutual respect and tolerance and strive to educate all incoming and currently present military personnel on the rich and varied cultural history that has created the culture that is Guam today. Finally, the DoD plans to increase military civilian joint activities in order to foster strong and mutually beneficial military civilian relationships that include the sharing and understanding of culture.

### K-046-002

Thank you for your comment. DoD acknowledges that the issue of land acquisition is a complex and sensitive issue, particularly related to prior acquisition of land in Guam by the federal government. Prior land acquisition policies and procedures are not reflective of current land acquisition laws and DoD policy.

DoD was required to determine whether military relocation requirements could be met by excess, underutilized or otherwise available property held by DoD on Guam. Early development plans attempted to keep all activities on existing DoD lands. However, as discussed in the FEIS (Volume 2, Chapter 2), after applying operational and environmental screening criteria, no contiguous DoD area on Guam was identified that could support all the land use and operational requirements of the action.

Should DoD determine that additional land is necessary to meet its



**K-046-002** Why the DEIS included the Nelson homes in Alternative A for the firing range is beyond me. It may be one of the most thoughtless public relations fiascos in the history of civil-military relations in Guam.

The Legislature will shortly adopt a strongly worded resolution, Number 258-30, against land condemnation in Guam. The Mayors Council has already adopted a resolution that takes the same position. The President of the Guam Chamber of Commerce has taken the same position, as has our Delegate to the U.S. Congress. In my opinion, it would be the honorable thing to do for our military to announce the rejection of any threat, or use, of condemnation.

It would also be wise for the military to announce now, not in June or July, that the DEIS will be modified to have the preferred alternative for a firing range avoid any taking of additional land, either private or public. The military is behind the eight ball on this issue and needs to get out in front immediately in response to the massive negative comments at the public hearings. It benefits no one for this issue to drag out to a summer conclusion.

What can be done about the presumed need for additional land? There are conflicting messages from Guam's Governor. First, he said that we must use the passion and emotion to "force" (his word) the military to bend in our direction. Later he told a Stars & Stripes reporter, in a story that was also carried by UPI, that "... a deal for the military to buy the land may put Guam in a better position to negotiate for money to improve its ailing infrastructure."

**K-046-003** Two of the three large parcels of public land identified for acquisition by the military involve land already designated for development to benefit those families who had lost their land to the military and will never get it back, the Crown Lands. The Governor has complicated these two parcels by presenting a bill to the Legislature designating them for the award of private title to 39 families who formerly owned land now under the buildings and runways at the Guam International Airport.

If this bill is approved by the Legislature, and title is awarded prior to the Record of Decision, these two parcels will be private, not public land. The former landowners testified at the public hearing that they are opposed to leasing or selling to the military, but rather want to retain the actual land. The Governor cannot speak realistically of selling to the federal government when he has already proposed that title be awarded to these 39 families.

The third large parcel involves land that has been set aside for a homesteading program for local Chamorro families. The Governor is flouting the testimony of those who took the position at the public hearings strongly condemning any sale of our land, our culture, and our way of life. Even if the 39 families get title to the Ancestral Lands portion of the proposed firing range, the local government would still own the northern part of what is desired for the firing range, the Chamorro Land Trust area. The military could not build a firing range on only the northern half of that property.

The thought of selling our precious land to put Guam in a "better position to negotiate for money to improve its ailing infrastructure" is appalling. That land is designated for the use of Chamorros through the upcoming centuries. Those who testified would never forgive

requirements, DoD policy requires that it negotiate with affected public and private land owners in good faith, seek agreements to acquire desired lands interests and pay fair market value. Where circumstances exist that require resolution of issues such as ownership or value, procedures exist under eminent domain authority to resolve those questions. Eminent domain requires reimbursement at fair market value.

### **K-046-003**

Thank you for your providing us with information on the parcels under consideration and your position against the Department of Defense (DoD) land acquisitions in Guam. DoD acknowledges that the issue of land acquisition is a complex and sensitive one. Below, is further information relating to land acquisition and the land acquisition process. DoD acknowledges that the issue of land acquisition is a complex and sensitive issue, particularly related to prior acquisition of land in Guam by the federal government. Prior land acquisition policies and procedures are not reflective of current land acquisition laws and DoD policy. As you have pointed out, the transfer of land ownership (Government of Guam to private owners) may further complicate the potential land acquisition; however, the necessity of acquiring the land as part of the military buildup warrants these efforts.



**K-046-003** our government for selling out our legacy, the backbone of our culture, to improve our infrastructure.

**K-046-004** Nearly a year ago, the Legislature passed Public Law 30-21, which provides that the Legislature must be the final approving authority for any land deal with the federal government. Therefore, our Governor cannot sell any land to the federal government. I cannot speak for my colleagues, but I believe that they will not approve any sale of our precious resource, in the hopes of improving our chances to get federal money for infrastructure needs. For any offer to be even seriously considered, it will have to be a most unusual and generous package.

The DEIS is deficient because it does not seriously present any alternative that positions all military needs within the military's current footprint. The two alternatives for a firing range are really not separate alternatives. Alternative B was thrown in sometime in the final stages of drafting so that there could be a "throw-away option." Both require additional lands, private and public, to be acquired by the military. Some options within the current fences are mentioned, but only briefly and without detailed analysis. Further, several possible alternatives are not mentioned at all. There is no "thinking outside the box."

#### CONCLUSION:

The DEIS must be modified to locate, as the preferred alternative, all of the military's needs on existing federal land. This modification must be done NOW, not behind locked doors between the second half of February and the first half of July. The welcome mat could well be eliminated over those months if no justice is provided. It is not the responsibility of local government planners to find these alternatives; it is the responsibility of the Department of the Navy. Surely, the talent and experience of the buildup planners can develop practical alternatives. I offer my own "outside the box" thinking below to indicate what could be possible.

#### ALTERNATIVES - POSSIBILITIES

##### FORMER FAA HOUSING AREA:

The DEIS assumes that military housing must be located within the 681 acres (The DEIS incorrectly claims that this is 680 acres) of former FAA property. As the DEIS states, it is composed of both private and public land. General, you indicated to my staff that the military is not interested in acquiring that private land. Why didn't the DEIS state this?

The private landowner family is currently negotiating with the Ancestral Lands Commission to delineate the boundary. It is assumed to be about 100 to 200 acres for the family, starting from the ocean going eastward. Therefore, the military is asking for about 480 acres of this Ancestral Crown lands for housing. Looking at the map, and knowing how the military thinks, it is obvious that this desire for this parcel is to "tidy up" the gap between the housing at the South Finegayan facility and the main Marine Corps base. The DEIS even states explicitly the desire for the base area to be "contiguous." There is no national security need to fill in the gap. The sixty current housing units at "South Fin" are currently assigned to Navy personnel. Many of them do not work at NCTS, but work on the repair ship moored in Apra Harbor. The DEIS does not speak of using these units for

#### **K-046-004**

Thank you for your comment. As stated earlier, DoD was required to determine whether military relocation requirements could be met by excess, underutilized or otherwise available property held by DoD on Guam. Early development plans attempted to keep all activities on existing DoD lands. However, as discussed in the FEIS (Volume 2, Chapter 2), after applying operational and environmental screening criteria, no contiguous DoD area on Guam was identified that could support all the land use and operational requirements of the action. The two firing range alternatives are the only two viable alternatives based on criteria outlined in the FEIS.

Should DoD determine that additional land is necessary to meet its requirements, DoD policy requires that it negotiate with affected public and private land owners in good faith, seek agreements to acquire desired lands interests and pay fair market value. Where circumstances exist that require resolution of issues such as ownership or value, procedures exist under eminent domain authority to resolve those questions. Eminent domain requires reimbursement at fair market value.



**K-046-004** Marines and having the Navy families assigned housing near or on the Orote Navy Base, but isn't that where they should really be located?

**K-046-005** It's important to remember how far we have come over the years. Back in the 1960s and '70s, all Marines stationed in Okinawa were unaccompanied, to be positioned better for contingency operations. Today, we emphasize "quality of life" for the families as much as we emphasize combat effectiveness. In Guam we are very family-friendly, and happy families make for better relations between the military and civilian communities.

You may recall that Assistant Secretary Natsuhara told the Legislature at our recent Public Administration conference that he would like to see Guam become a duty station of choice for military families. I recognize that a family-friendly environment is a critical element in the success of the buildup, and I believe that a more family friendly mindset could take your planners down a better path.

My recommended alternative for this particular situation is to have the Navy houses assigned to the Marines, and to fill in the open, empty spaces within the South Fin acreage with additional housing units. That will decrease the 480 additional acres needed for housing down to about 200 acres. These 200 acres can be found north of the NCTS buildings, in the "open/protected area" which runs from those buildings north to Route 3A and from Potts Junction northwestward in the direction of Ritidian. Two hundred acres is a just a small portion of this vast open area.

The word "protected" means that this land is part of the Guam Wildlife Refuge Overlay, negotiated in 1994 by the military with the U.S. Fish & Wildlife Service. There are currently 12,237 acres in the Navy overlay and 10,219 acres in the Air Force overlay. Why not take a mere 200 acres more from these overlays? Several acres are already designated to be developed in the overlay areas as mentioned in the DEIS. This particular area is designated as "critical habitat" for eventual location of fruit bats.

Which is of greater import: locating fruit bat in 200 acres along Route 3A someday in the far future, or the avoidance of taking additional land in Guam? The Refuge MOU states that national security needs will trump habitat needs. Additionally, the fruit bats would prefer the area currently managed at Ritidian by the Fish & Wildlife Service to the scrub fauna in the area for housing, and bats can co-exist with housing. One merely has to provide for some open park space, construct artificial fruit bat houses (shelter from the weather, protection from predators, and poles crisscrossing for roosting). If you plant mango and papaya trees around these towers, the bats will come. This concept would provide protection against poachers. The Air Force is already encroaching in the exact same habitat by building concrete buildings every one hundred yards or so running along the north side of Route 3A, not to mention the quarry site on the south side of that road.

The housing area could have an access gate to Route 3A for management of vehicle traffic, and this housing area would be contiguous to the main cantonment facility. Finally, an easement linking South Fin and the main cantonment area could be negotiated to provide for direct travel between the two areas. Traffic would not need to go out onto Route 3. This access road, of course, should have an on and off ramp halfway along the road for local access into the former FAA area.

#### **K-046-005**

Thank you for your comment. The design for housing is based on the following standards. The current DoD standard for housing density is 4 to 6 dwelling units per acre. Consistent with the "live where you work" concept, Headquarters USMC has expressed a desire to locate all associated housing on one contiguous main base. Likewise, Headquarters USMC has expressed a desire to ensure the housing density for Marine Corps personnel and their families is compatible with other service housing densities on Guam, which are approximately 4.7 Dwelling Units per acre. While following these standards, DoD has attempted to reduce impacts to natural and cultural resources as much as possible.



This is just one possibility that would remove any need for acquisition of the former FAA property.

**K-046-006 FIRING RANGE:**

The Navy needs to put on its thinking cap about this matter and be open-minded. I do not have all the answers, but here are a few alternatives that I would like to offer:

**Use Tarague Beach.** We have been told that the area is too small for the required throughput. We have been told that it is omni-directional. We have been told that the blast zone for the munitions area overlaps the area. We have been told that the firing range would interfere with the flight patterns for the AAFB. The DEIS does not go into detail on these matters. On a map you provided to me last year, the blast zone does NOT overlay the beach area nor does it impact on the flight pattern. If it does, move the ammunition bunkers a bit further west to eliminate any overlap. Further, in my non-expert opinion, all firing ranges are omni-directional. Final proof of Tarague's suitability is evidenced by the fact that there is already a firing range in the Tarague Beach area. That puts the lie to these false arguments.

The main concern would be throughput. My thinking is that the bunkers could be located in the eastern end of the area with the shooting aimed toward the Recreational Beach end. Use of the recreational beach would be scheduled for when there is no live firing on the range, such as weekends, holidays and late afternoons. The current firing range has the shooting going in the direction of the runways and flight patterns. My concept would reverse the direction for added safety and place the morning sun at the backs of the Marines. There would be more than enough room for throughput and more than enough distance for the targets. There is no recreational boating or reef fishing or scuba diving along that coast. Rota is 54 miles away, safe from any stray bullets.

A sub-set could be to use the southern portion of the Naval Munitions Area (NMA), formerly known as the Naval Magazine, for heavy machine gun firing. Weapons such as the .50 cal. machine gun need additional range versus the smaller caliber weapons and the required distance could easily be set up at a small range in this area. This is also under the wildlife refuge overlay, but there are already four planned helicopter landing zone spots (with an additional one in the main NMA facility) and an access road from Route 2 into the south of the NMA.

General Bice, you informed one of my staff that the NMA was suitable for a firing range, but that the mayors, back in 2007, advised against having a large volume of heavy Marine trucks on Guam's roads. Under my concept, there would be minimal truck traffic on the roads since not every Marine is a machine gunner. Further, they could also be transported to and from the main cantonment via helicopter, or on the billion-dollar road down the spine of Guam, which the Japanese Government pledged to build in last year's agreement with our Secretary of State.

This sub-set alternative of using the NMA for limited firing practice is only in the event that heavy machine guns are unsuitable for Tarague Beach. Why, if the NMA site is suitable, is there no alternative listing it in the DEIS?

Another sub-set alternative, mentioned in the DEIS, is the development of Tinian for live firing, perhaps shifting the large caliber machine gun to fire there. With consultation with

**K-046-006**

Thank you for your comments and recommendations. The DEIS describes the intensive selection process that the DoD went through to select alternatives for the location of the firing range on Guam in Section 2.3.1 of Volume 2. Because of the size of the firing ranges and the need to include all safety zones as part of the acquired lands, or conflicts with existing land uses (such as housing, Won Pat International Airport), the firing range could not be placed on DoD lands, including Tarague. Tarague in particular could accommodate KD rifle ranges but not the machine gun range because of the SDZ area required. Discussion on the screening process associated with the firing ranges has been clarified in the Final EIS.

Finally, given the training requirements and the amount of Marines that would use the firing ranges, using the live firing ranges planned for Tinian would not be economically viable.



**K-046-006** the CNMI Government, greater use could be made of Tinian since the Marines will have many aviation assets available in Guam to use for transportation to and from Tinian. This option, of course, carries a greater cost than doing the training in Guam, but it would be a smaller cost than the loss of a welcome background of hospitality in Guam for our Marines. It would also be cost-effective when compared to the cost of acquiring the additional land along the 77<sup>th</sup> Infantry Division Highway (AKA Route 15) and redirecting a portion of that road.

A "further-out" concept is for the Air Force to trade land at Pati Point for half of the Fish & Wildlife Service land at Ritidian and use the land at Ritidian, north of the buildings, for a supplemental firing range, if the throughput is still a problem for Tarague, Tinian, and NMA. Again, the orientation of that land is such that any stray bullets would go harmlessly into the ocean since no one uses the ocean that far north. The last remaining colony of fruit bat in Guam resides at Pati Point. The sea turtles come ashore to lay their eggs at Pati Point. The Fish & Wildlife Service should appreciate the opportunity to acquire Pati Point.

**K-046-007** Finally, a comment about our Air Force. I have heard informally and confidentially that the Air Force is not being a "joint player" in our buildup. It has its own projects, but it has been grudging regarding the Marine Corps aviation facilities. It has rushed construction of concrete buildings along Route 3A to establish a presence along that area to prevent the Marines from crossing that road. It has refused to consider, seriously, Tarague Beach for a firing range. My recommendation is that the Air Force be informed that this buildup a "one-government" program. Once again, in the words of Assistant Secretary Natsuhara: "Throughout all of this I want to make it clear, we are committed to one Guam, whole government approach. This realignment should benefit all of us. By working together across the federal and local governments, you can be assured that it will be."

The Air Force should stop resisting and get on board.

**CONCLUSION:**

**K-046-008** I have provided the background and statement of the problem. I have provided some rough ideas for solutions to the problems. I believe that it is in the hands of the Department of the Navy whether the Marines get a warm or hot welcome to Guam. Guam needs a "Rewrite-Resubmit" of the DEIS to make it balanced, creating more "wins" for the people of Guam. The entire document reflects an unfortunate disrespectful attitude toward our people and culture. Disrespect is the worse thing one can show to the people of Guam. This land issue is just one of many issues that have unfortunately been mismanaged throughout this process. As a respected elder and former senator testified, "We love America, but we are not sure America loves us."

General, if you truly wish to achieve success, and if you believe as Assistant Secretary Natsuhara does, that there should be "one Guam," and that Guam should be a duty station of choice, you and your colleagues must act quickly to redo the plans for this buildup, and dispel these and similar perceptions.

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**K-046-007**

Thank you for your comment and concerns expressed about U.S. Air Force (USAF) participation. The development of the data and information supporting the draft and final Environmental Impact Statement (EIS) is crucial to the proposed action in Guam. The USAF agreed to be a cooperating agency in the preparation of this EIS. A cooperating agency has a unique status and responsibility under the National Environmental Policy Act (NEPA). This is the federal law governing the requirements for studying the environmental effects of proposed federal actions in documents such as EISs. A cooperating agency is to participate in the NEPA process at the earliest possible time; participate in the scoping process; and on request of the lead agency assume responsibility for developing information concerning subjects which the cooperating agency has special expertise.

Accordingly, the USAF has worked with the Joint Guam Program Office (JGPO) and its supporting EIS team to develop projects and the information needed for the draft EIS. As an example, representatives of the USAF have participated in reviews of the early draft EIS and comprehensive cooperative review meetings to finalize the text for the final draft EIS.

JGPO appreciates the concern expressed for the need to have full support for the proposed action. JGPO and the USAF will continue to work together to ensure the needs of all Department of Defense services are considered and addressed. This is the best way to ensure a unified approach in Guam.

**K-046-008**

Thank you for your comment. DoD recognizes the importance of managing efforts in implementing the proposed military relocation to reduce adverse effects on the people of Guam, its natural resources and infrastructure. The EIS process identifies ways to implement the proposed relocation while minimizing adverse impacts. DoD will

continue to work with the people and Government of Guam to ensure that the short term impacts of construction are managed effectively and that the long term effects of the military relocation reflect DoD policies to be good neighbors and responsible citizens on Guam.

COMMENTS BY SENATOR BJ CRUZ

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2  
3 MR. CRUZ: As you know, I think the  
4 general knows I've spoken to just about  
5 everyone of the meetings, and I have comments  
6 having read most of the EIS. But I wanted to  
7 address specifically something that's very near  
8 and dear to those of us that live in this area.  
9 I live in Piti. And my concern on the DEIS  
10 involves Commercial Port, I mean, the  
11 Commercial Port in the Apra Harbor dredging.  
12 I'm sure that there are biologists here that  
13 can address the issue and I see Mr. Tibids back  
14 there, there were excellent comments that were  
15 made in paper the other day about the  
16 destruction of the sea coral life.  
17 But, I want to address one issue that  
18 Manny and I addressed at an EIS last August  
19 when we were talking about the ocean dredging  
20 material dumping in the ocean. And I told them  
21 at that time at the August meeting that I could  
22 not and would not support any dumping of any  
23 dredge material that was taken out of Apra  
24 Harbor unless I was assured that the dredge  
25 material did not contain radioactive material.

K-047-001

**K-047-001**

Thank you for your comment. The Final EIS includes additional information on sediment testing including radiological testing of sediments from Apra Harbor.

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K-047-001

1 And at that meeting they couldn't assure me of  
2 that. In fact, I pointed out that I have read  
3 the 400 pages and they didn't have it in there.  
4 So, they had me talk to one of the consultants  
5 and they showed me the page that had it and  
6 they showed that they had tested for 10 heavy  
7 metals. And I said, "That's great, you tested  
8 for 10 heavy metals, but what about radio  
9 active material?" And the response was, "We  
10 didn't test for it." "Why didn't you test for  
11 it?" "Well, the navy didn't ask for it."  
12 Well, I hate to tell you general that your  
13 credibility on the community is completely  
14 undermined when you don't make that one open  
15 testing, you've got to make sure of it --  
16 because in 1975 there was a huge spill by the  
17 Proteus and when the guided counters went down  
18 to test it, it was 50 times the accepted level,  
19 and all that has settled down and with all that  
20 you're going to be digging up, how much of that  
21 are you going to unearth, and how much more has  
22 been dumped over the subsequent years or even  
23 previous to that, because between 1950 and 1975  
24 there was constant washing down of carriers and  
25 ships that had been in the test zone in the

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K-047-001

1 Marshall islands.

2           So, there's plenty of radioactive

3 material there but nobody is willing to test

4 for it and I even asked for the PAG master plan

5 to have somebody do that, and there still

6 hasn't been and no one wants to do this. And

7 before you start digging, we need to know that

8 there's no radioactive material that you're

9 going to spread around more than the 40 yards

10 you claim in that area and it's not going to

11 continue to harm our people because being told

12 you can only eat one fish per month from a

13 certain area because it's contaminated is not a

14 way that we want to live here in life. And so

15 I'm asking that that's my one comment for today

16 in Santa Rita. Thank you.

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1                   **COMMENTS BY SENATOR BEN PANGELINAN**

2

3                   MR. PANGELINAN:       [speaks in the

4 Chamorro language; Good evening. This is a

5 good night because all of you are here. My

6 heart is happy to see all of you come out today

7 to give your input and to tell the federal that

8 they are liars.]

9                   The federal government, since the

10 beginning of the plans for the military

11 buildup, has purposely given wrong information,

12 purposely given misdirected information and

13 purposely has withheld information so that we

14 know what is going to happen to us, what is

15 going to happen to our lands, what is going to

16 happen to our people and what is going to

17 happen to our children. And I say, until they

18 decide to tell the truth, not a single spade of

19 dirt should be turned to support this military

20 buildup.

21                   The EIS is full of misinformation.

22 They tell us that we will reap the benefits of

23 contractors contracting with the military. And

24 they give us all these numbers. Take a look at

25 what happened with the military when they

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**K-048-001**

Thank you for your comment. Please see Section 4.3 of the Socioeconomic Impact Assessment Assessment Study (Appendix F of the EIS) for information on the economic benefits that the proposed action would be expected to have. We note that benefits to individuals or enterprises may not be consistent with the overall benefits the proposed project would have to Guam (as a whole).

**K-048-001**

K-048-001

1 closed the bases across the United States and  
 2 on Guam. They told us and the Chamber of  
 3 Commerce, "Don't worry, you will have  
 4 flourishing businesses to support this  
 5 privatization." Of course, we have flourishing  
 6 businesses. They just happen to be from  
 7 Florida, from Alaska, from California, and just  
 8 recently, they just kicked out our Guam  
 9 company. And our good friend Clifford knows  
 10 about that.

11 It is this type of neglect for the  
 12 interest and the benefit of the people of Guam  
 13 in which we cannot afford to support this  
 14 buildup in the manner and the fashion that they  
 15 are presenting it to us. I say [speaks in the  
 16 Chamorro language; No! What kind is this  
 17 buildup?]

18 They say we're going to get millions of  
 19 dollars. We looked at those millions of  
 20 dollars. They don't tell us about the millions  
 21 of dollars they're going to have to take from  
 22 your pocket to support their activities. We're  
 23 going to have raise water rates. They take the  
 24 water from Fena and now despite the local law,  
 25 and we know the consequences, they're going to

K-048-002

**K-048-002**

Thank you for your comment. Water rights on Guam is a very technically involved legal issue. The purpose of the EIS is not to try and resolve these types of legal issues but leave them to negotiators, lawyers, and courts. DoD does plan to offer excess water production capacity at extraction costs, without any imputed value of the water itself. Thus DoD would not "sell the water" but would provide water for what it cost to extract, treat, and distribute to GWA.

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K-048-002

1 say they're going to sink 22 wells and draw the  
2 water from our aquifer and not pay us a single  
3 dime for it. Is that partnership?

K-048-003

4 This build-up is for the interest of  
5 the people in the continental United States,  
6 and there is no problem with that. I want them  
7 to sleep very securely at night knowing that we  
8 are giving up our rights and our liberties.  
9 Conscience will not allow that. And the gods  
10 and the ancestors are not sleeping.

11 And if General Bice says we decided to  
12 move the firing range from Finegayan because  
13 you told us you don't want us shooting at your  
14 tourists and at your fishermen and we are  
15 listening to you, well, listen to me General  
16 Bice, I don't want you desecrating those  
17 ancestral burial grounds! I don't want you  
18 bombing and shooting the spirits of our  
19 ancestors that rest in Pagat! Listen! Listen!  
20 Listen!

21 Three minutes, to tell you what's going  
22 to happen for the next 3,000 years? It's an  
23 insult to this process and it tries to put us  
24 into a process that they say is unprecedented  
25 in a way that says it's business as usual. The

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**K-048-003**

Thank you for your comment. DoD recognizes the importance of managing efforts in implementing the proposed military relocation to reduce adverse effects on the people of Guam, its natural resources and infrastructure. The Final EIS process identifies ways to implement the proposed relocation while minimizing adverse impacts. DoD will continue to ensure that the short term impacts of construction are managed effectively and that the long term effects of the military relocation reflect DoD policies to be good neighbors and responsible citizens on Guam.

Through the process of public involvement that has accompanied this proposed action, the Chamorro people of Guam have voiced clearly and concisely their concern that the traditional Chamorro culture, including dance, language and traditions, will be forgotten. While population increases can highlight cultural differences, they also present unique opportunities for cultural learning and sharing. As noted in the Final EIS, the DoD plans for cultural sensitivity orientation and awareness programs will focus on mutual respect and tolerance and strive to educate all incoming and currently present military personnel on the rich and varied cultural history that has created the culture that is Guam today. Finally, the DoD plans to increase military civilian joint activities in order to foster strong and mutually beneficial military civilian relationships that include the sharing and understanding of culture.

K-048-003

1 people of Guam, this is not business as usual.  
2 It will not be business as usual. We will not  
3 settle for this until you mitigate before you  
4 damage, not after you damage.

5           They say, don't worry, when we dig up  
6 Apra Harbor, don't worry about it, you're not  
7 going to know that the fish are out there, that  
8 used to be there for centuries. You know why?  
9 Because you're not going to be able to go  
10 there. They say that, don't worry we're going  
11 to preserve Pagat and you are never going to  
12 see the desecration of that pristine coastline.  
13 You know why? Because we won't be able to go  
14 there. That's their mitigation; to erase the  
15 good from our memory and hoping that we will  
16 forget.

17           We have not forgotten what's happened.  
18 You have not fixed the problems of the past.  
19 We will not let you create problems for the  
20 future. *Si Yu'us Ma'ase.*

21  
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1           MR. GUZMAN: Once again, ladies and  
2 gentlemen, thank you very much for your passion  
3 over this and the thoughts that you have.  
4 That's what this hearing is for. But we do  
5 have well over 60 people who would like to have  
6 an opportunity to speak as well. So, I ask  
7 your indulgence [speaks in the Chamorro  
8 language; to please give a chance to those who  
9 want to speak. Give some respect. Thank  
10 you.] Mr. Ted Nelson.

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1                   **COMMENTS BY SENATOR BJ CRUZ**

2  
3           MR. CRUZ:     Thank you.   Excuse the fact  
4 that I'm going to speak very quickly because we  
5 have 11,000 pages and four opportunities to  
6 speak in only three minutes.   I have a number  
7 of things.

8           I spoke on Saturday and I asked for  
9 certain things on behest of the hospital.   I  
10 want to make very clear that what I am asking  
11 for at this point is that when you do your  
12 final EIS that there be a separate medical EIS.  
13 And Cathy Illarmo reminded me, and one of the  
14 young ladies from the Nelson family reminded me  
15 on Saturday, there should also be another final  
16 EIS as it relates to mental health because  
17 we're going to need some very major assistance  
18 in both of those areas.

19           General Bice, on Thursday, I spoke  
20 about the fact that we needed to address the  
21 issue of what was being dredged at Apra Harbor.  
22 I was assured by your minions that, that  
23 testing had already been done.   And on Friday  
24 morning, one of them came to my office excited  
25 that he found the studies that showed that they

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**K-049-001**

Thank you for your comment. The Draft EIS (socioeconomic chapters) and the Socioeconomic Impact Assessment Study (SIAS, Appendix F, Volume 9 of the Draft EIS) examines the potential impacts to mental health concerns as a result of implementing the proposed action. The Navy appreciates the importance of health and mental illness issues and will work to ensure health issues that are affected by the proposed project are appropriately addressed during and after the Final EIS.

**K-049-002**

Thank you for your comment. Prior to dredging, it will be vital that the sediment layer to be dredged is characterized in a representative manner (i.e., not only by depth, but in terms of the types of potential contaminants such as volatile organic compounds, semi-volatile organic compounds, PAHs, metals, radionuclides, etc.). If previous sampling and analysis of the sediments is judged not to be representative of the potential dredging work to be done, than additional characterization work may be required.

K-049-001

K-049-002

1 have been testing in the, in Apra Harbor. And  
 2 I want to read to everybody here what's in the  
 3 2006, 2007 and 2008 report on sediment testing.  
 4 "Harbor Sediment Testing; a Burge/Ekmond  
 5 (phonetic) dredge, modified to sample a 36-  
 6 square inch by about one-inch deep layer of the  
 7 Harbor sediment issues to obtain each sample.  
 8 The top layer is selected because it should be  
 9 more mobile and more accessible to marine life  
 10 than deeper layers.

11 When I spoke to your expert over there,  
 12 we're digging down 34 to 38 feet, and you're  
 13 testing 1 inch on the top and your telling me  
 14 there is no nuclear, no radio active material  
 15 in that one inch? Why, of course, looking at  
 16 me you probably think I was healthy. But  
 17 unless you get an MRI, you're not going to know  
 18 what's down there. And to have the nerve to  
 19 tell me that you guys have been doing this  
 20 testing and you bring this to me, figuring that  
 21 I'm not going to read it, I read every single  
 22 one of them. I've underlined every single one  
 23 of them. And I'm insulted that you guys think  
 24 that I'm not going to read these things. I've  
 25 been reading all 11,000 pages because I am

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**K-049-003**

Thank you for your comment. The FEIS has been updated to reflect details of sediment testing including radiological testing.

K-049-002

K-049-003

K-049-003

1 going to fight for my people and make it clear  
2 that we're not going to do anything about this.

K-049-004

3           The other thing that I wanted to point  
4 out very clearly, and I know my time is almost  
5 up is, I know that the Nelson family and  
6 Sgambelluri families opposed. I have this map  
7 blown up of these 212 square miles of Guam, but  
8 just the northern part, if my calculation is  
9 right, the 6 square miles of land in the  
10 Tarague Valley as well as 6 square miles of  
11 land in Sasayan and Pagat, take the -- there's  
12 already a rifle range down in Tarague, put your  
13 rifle range where we're not allowed to go to  
14 swimming and where you took away our sun and  
15 sand surf resort, put it on that and shoot  
16 towards the mountain. One of your experts told  
17 me the reason why you don't want to do that is  
18 because one, one round of 50-caliber rifle  
19 bullet landed on the runway. Find some way to  
20 prevent that. And as I told him, to have a  
21 soldier that's going to shoot 1 or 2 percent  
22 off, that's almost tolerable. But if he's  
23 shooting and he's 70 percent off, send him home  
24 to his mother.

25

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**K-049-004**

Thank you for your comment. It has always been the goal to maximize the use of federally-controlled property. DoD Instruction 4165.71, Real Property Acquisition, January 2005 requires that federal agencies demonstrate that the land requirements cannot be met by excess, under-utilized or otherwise available property held by other military departments of federal agencies. The initial screening analysis tried to fit the Marine Corps requirements for training (non-firing and live-fire), family housing, main cantonment, waterfront operations and airfield operations on existing federally-controlled land. The conclusion of the screening was there is insufficient federally-controlled land to meet the land use and operational requirements. The alternatives screening analysis is provided in Volume 2, Chapter 2.

To address your specific recommendation that the Tarague range be used instead of acquiring land, the Final EIS has more detail on the original screening analysis to demonstrate why the Tarague range area was not suitable. The issues included cultural and biological resource impacts and the amount of grading required.

## COMMENTS BY SENATOR BJ CRUZ

K-050-001

1  
2  
3 MR. CRUZ: Thank you very much. My  
4 comment tonight of the DEIS specifically  
5 address, relates to healthcare. Since the very  
6 beginning of this announcement of the buildup,  
7 my main concern, and I kept telling everybody,  
8 at best, the Port is not the choke point, the  
9 hospital is the choke point. The Port is use  
10 and even the Navy side, as of the last couple  
11 of months ago, but the hospital is running  
12 unusually at Code Red for at least a day,  
13 unfortunately it was Code Blue. But we just  
14 don't have enough hospital beds to take care of  
15 all the people that this buildup is supposed to  
16 be bringing in.

17 I'd like the final EIS to be very  
18 specific about how to it plans to address this  
19 need. I like the suggestion the other day in  
20 Santa Rita that you take all of the workers  
21 that are coming to Guam and take care of them  
22 at the Naval Hospital. And I think while  
23 you're add it, take full responsibility on the  
24 compact impact taking up the excess to Naval  
25 Hospital. Leave the Guam Memorial Hospital to

**K-050-001**

Thank you for your comment. The DoD plans to have several medical clinics in Guam and a new replacement Naval hospital would provide health services to the military personnel, their dependents, and military beneficiaries. Additionally, it is anticipated H2B workers as well as on-island workers will have health plans and private clinics will provide medical services.

As documented in this EIS, DoD acknowledges the existing sub-standard conditions of key public infrastructure systems and social services on Guam and the interest to have DoD fund improvements to these systems and services. DoD's ability to fund actions is limited by Federal law. However, to minimize adverse impacts associated with the proposed military relocation program, DoD is leading a federal inter-agency effort to identify other Federal programs and funding sources that could benefit the people of Guam.

**K-050-002**

Thank you for your comment. Please see response to K-050-001.

**K-050-001** | 1 be use by the local population, because that  
2 hospital is barely able to take care of us at  
3 the present time.

**K-050-002** | 4 I'd like the EIS to be very specific  
5 about how it plans to bring the 109 medical  
6 professionals that it says in the EIS, that we  
7 will need during this buildup. Because anybody  
8 who has been doing any kind of reading knows  
9 that we are short of doctors, there's a  
10 shortage of doctors throughout the county, and  
11 I'd like to know whether or not we have a  
12 comment for HHS to provide us whatever number  
13 of doctors we'll need in the public health  
14 service, or whether or not the military is  
15 going to guarantee that over the buildup, they  
16 will provide their doctors and their training  
17 at Naval -- military hospital that -- or  
18 whatever was shot at at Fort Hood, that you  
19 guys have a training place where you can train  
20 doctors. We need doctors here and everybody  
21 knows it's impossible to get them here. You  
22 bring the doctors and fill up the requisition  
23 and use the formula that you have at Naval  
24 Hospital where you're planning \$440 million for  
25 44 beds. Now, my calculation that's about \$10

K-050-002

1 million per bed, at \$10,000 -- in the newspaper  
2 yesterday about the contribution of a private  
3 hospital, is not going to go very far.

4           So, we need to know how we're going to  
5 build the facility with that space, we need to  
6 know where they're going to bring doctors from  
7 and how are you going to provide for those  
8 doctors and also for the nurses. We need more  
9 nurses also to be able to take care of that.  
10 So, I'd like that to be addressed in the final  
11 EIS. Thank you.

12           MR. GUZMAN: Thank you. Once again,  
13 ladies and gentlemen, as you come up I would  
14 like to ask you, please state your name, and  
15 the village you are from, and if you are  
16 representing another group or another person,  
17 please take note, is all for the record and  
18 it's important that we do get it right. I'd  
19 like to call on our next speaker, Mr. Albert  
20 Tanaka.

21  
22  
23  
24  
25

1                   COMMENTS BY SENATOR JUDI GUTHERTZ

2  
3                   MS. GUTHERTZ:     Since I have three-  
4 minutes I have to state my agenda.     Good  
5 afternoon ladies and gentlemen, I am Judith  
6 Guthertz, I am from the village of Mangilao.  
7 And I'm very happy to be here, you can see I'm  
8 dressed for the occasion.     Today is Saturday,  
9 this is the day we cut our grass, clean the  
10 house, wash the dog, and wash the cars.

11                   I want to thank the Guam Joint Program  
12 Office for organizing this meeting today and  
13 the one at Southern High School, we need a lot  
14 more of these meetings.     And I'm hopeful that  
15 our friends in the military are listening  
16 carefully to your comments and to the  
17 sentiments of our community.

18                   For the record, I don't oppose the  
19 buildup I oppose any land taking of any kind.  
20 And as you know, we lifted this resolution in  
21 the Guam Legislature which I hope will be on  
22 the agenda for our session next week.     The  
23 hearing was wonderful, we had a perfect turn  
24 out for the hearing, 99.9% to those who  
25 testified supported the resolution, one did

**K-051-001**

Thank you for your comment. DoD acknowledges that the issue of land acquisition is a complex and sensitive one with both historical and contemporary contexts. Should DoD determine that additional land is necessary to meet its requirements, DoD policy requires that it negotiate with affected public and private land owners in good faith, seek agreements to acquire desired lands interests and pay fair market value.

DoD is confident that all parties can reach agreement on any potential land acquisition. Further, any proposed major DoD land acquisition, such as those associated with the preferred alternatives for the main cantonment and live fire ranges, must be approved by the Congressional defense committees.

Specific areas being considered for acquisition are identified in the Final EIS.

K-051-001

K-051-001 | 1 not. I understand yesterday in the Mayors  
 2 Council, unanimously passed a motion and a  
 3 resolution to endorse the legislative  
 4 resolution on no land taking.

5 So, I think that's a perfect fate  
 6 because our Mayors are connected to the people  
 7 in the villages and they know what the  
 8 sentiments are of the people of the villages.  
 9 To our friends in the military, the people of  
 10 Guam are wonderful people, all the people that  
 11 call Guam home, they are patriotic, they love  
 12 their island, they love their country. They  
 13 just want to make sure that your plans are fair

K-051-002 | 4 to them. And I'm hopeful that the hearing had  
 5 a -- you folks are sensitive to the land issue  
 6 and I hope that means that if you need to look  
 7 outside your inventory of land, that you would  
 8 negotiate in good faith with people who are  
 9 willing to sell or lease their land.

20 And, to those who are not willing to  
 21 sell or lease their land, you must honor their  
 22 wishes. And not invoke any eminent domain  
 23 actions on them for their land. As far as  
 24 GovGuam lands is concerned whether it's  
 25 ancestral lands, Chamorro land trust lands or

## K-051-002

Thank you for your comment. DoD acknowledges that the issue of land acquisition is a complex and sensitive issue, particularly related to prior acquisition of land in Guam by the federal government. Prior land acquisition policies and procedures are not reflective of current land acquisition laws and DoD policy.

DoD was required to determine whether military relocation requirements could be met by excess, underutilized or otherwise available property held by DoD on Guam. Early development plans attempted to keep all activities on existing DoD lands. However, as discussed in the FEIS (Volume 2, Chapter 2), after applying operational and environmental screening criteria, no contiguous DoD area on Guam was identified that could support all the land use and operational requirements of the action.

K-051-002 | 1 crown lands, that the military might be  
2 interested in. Please remember ladies and  
3 gentlemen that the law, that the legislature  
4 passed last year -- I forget -- requires all  
5 lands, the Government of Guam lands into the  
6 military, must have legislative approval. No  
7 Government of Guam lands can be alienated  
8 without action from legislature. Thanks Cliff  
9 and thank you ladies and gentlemen.

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The People

Chairman  
Committee on  
Appropriations, Taxation,  
Banking, Insurance, and  
Land

Member  
Committee on Education

Member  
Committee on  
Municipal Affairs,  
Aviation, Housing, and  
Recreation

Member  
Committee on Labor, the  
Public Structure,  
Public Libraries, and  
Technology

## Mina' Trenta Na Liheslaturan Guahan

Senator vicente (ben) c. pangelinan (D)

Joint Guam Program Office  
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258 Makalapa Drive, Suite 100  
Pearl Harbor, HI 96860

Ref: Draft Environmental Impact Statement / Overseas Environmental Impact Statement

GUAM AND CNMI MILITARY RELOCATION  
Relocating Marines from Okinawa,  
Visiting Aircraft Carrier Berthing, and  
Army Air and Missile Defense Task Force

### To Whom It may Concern:

I, vicente cabrera pangelinan, currently serving as a Senator in the 30<sup>th</sup> Guam Legislature am submitting the following comments in response to the Department of the Navy's request for input on it Draft Environmental Impact Statement for the following activities:

1. *Marine Corps.* (a) Develop and construct facilities and infrastructure to support approximately 8,600 Marines and their 9,000 dependents relocated from Okinawa (Japan) to Guam, (b) Develop and construct facilities and infrastructure to support training and operations on Guam and Tinian for the relocated Marines.
2. *Navy.* Construct a new deep-draft wharf with shore side infrastructure improvements creating the capability in Apra Harbor, Guam to support a transient nuclear powered aircraft carrier.
3. *Army.* Develop facilities and infrastructure on Guam to support relocating approximately 600 military personnel and their 900 dependents to establish and operate an AMDTF.

The DEIS contains numerous deficiencies and fails to meet the requirements of the NEPA process in that it does not provide adequate and verifiable information needed to form an informed and substantive comments. The Department of the Navy has failed to provide a legally adequate document and therefore this document shall not be used to proceed to the final EIS and presentation for a Record of Decision.

### Inadequate Time For Public Comment:

Despite the granting of an extension for the public comment period from 45 days to 90 days, the timing of the release of the DEIS during the most culturally sensitive and time demands to meet our cultural obligations effectively provided on the original 45 day comments period which was deemed insufficient in the first place. To expect the lay person to review such a technical document and plow through the over 10,000 pages including appendices is unreasonable. The format of

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### K-052-001

Thank you for your comment. The DoD carefully considered all requests to extend the length of the comment period beyond the 45-day minimum required by NEPA. In evaluating multiple options, DoD leadership determined that a 90-day comment period best balanced the need for sufficient time to review a complex document with the requirement to reach a timely decision regarding the proposed military buildup on Guam.

K-052-001

**K-052-001** | the public hearings on the DEIS also fails to recognize the oral traditions of the people of Guam and forced the public to confine their comments to a three minute time limit, when the DEIS will change the way of life for the local population for the next three hundred years.

**K-052-002** | Failure to Account for Local Law.

The DEIS proposed action on matters that are the subject of local law without any analysis on the consistency of these actions and local law. For example, local law asserts the ownership of all water resources lies with the people and the government of Guam. All development of this resource shall be by the local Guam Waterworks Authority. Yet the DEIS has plans for the military to develop and drill 22 water wells own their own in contradiction with local law.

**K-052-003** | The military also proposes to develop land designate and registered with the National Historic Registry for a firing range that will threaten the integrity of this pristine natural limestone forest area. Failure to recognize this and plan for any mitigation to potential damage to this environmentally sensitive areas renders this DEIS deficient and the DEIS must be redone to address this matter.

Failure to Consider Reasonable Alternatives.

**K-052-004** | The DEIS contains plans for development of facilities that will restrict access to areas of cultural and historic significance which must remain open to the local population. The mitigation plans outlined fail to provide the specificity necessary for the people to make sound judgment and informed comments on the impact to our lives. NEPA requires that the plans must be specific enough for the formation of opinion based on the information presented. There is lack of information.

Some of the information frankly is unacceptable. The loss of outdoor recreational areas will be mitigated with moving activities indoors. How can the loss of nature hiking trails, pilgrimages to historic and religiously significant areas be replicated indoors.

Utilization of Unacceptable Analytical Tools.

**K-052-005** | The DEIS applies analytical tools that are deemed deficient and erroneous in the development of plans for the dredging of Apra Harbor. All subject matter experts with the applicable local and federal regulatory agencies has expressed opposition to the method of analysis used in determining the extent of damage to the coral and the determination of the required mitigation. Mitigation for the loss of habitat using artificial reefs for example in this section of the DEIS has proven to be an ineffective replacement of this habitat loss. Determination of the amount of loss of habitat using only surface analysis and not accounting for the depth of the coral on leads to unacceptable conclusions and demands that there be NO ACTION on this plan without a re-evaluation of all methodologies and conclusion formed using the present data and analysis.

**K-052-002**

Thank you for your comment. Water rights involve complex legal and historical issues that are beyond the scope of this EIS. DoD feels the courts will need to address water rights on Guam sooner or later whether or not the proposed DoD buildup proceeds. All new wells proposed by the DoD would need to be permitted by GEPA and approved by GWA. Also DoD has been meeting and coordinating with GWA and GEPA on almost a regular monthly basis since October 2009.

**K-052-003**

Thank you for your comment. DoD understands the importance of the cultural and historic issues related with land in Guam, and in particular those associated with the Pagat site, which is listed on the National Register of Historic Places. As stated in the DEIS in Section 12.2, no direct disturbance to the Pagat site would occur from the construction or operation of the proposed firing range. To mitigate the restriction in access to Pagat, a preservation plan would be updated to protect this resource in the future. A Memorandum of Agreement also would be included in the Range Management Plan to allow regular access to this area.

**K-052-004**

Thank you for your comment. DoD understands and recognizes the significance of cultural and recreational sites located on DoD property in Guam. Restricting access to certain DoD areas at certain times is required to maintain public safety. It is the intent of DoD to maintain public access to DoD lands that contain cultural sites consistent with safety and operational requirements. Access will be granted at approved times such as when the lands are not being used for military training. Final plans concerning access to sites potentially impacted by the proposed action have not been developed. DoD looks forward to working with stakeholders to develop plans for cultural stewardship and

K-052-006

Failure to Look at Cumulative Impacts.

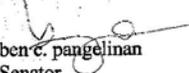
This DEIS and the projects does not account for the cumulative impact of past projects and the impact of future projects. This is practice called segmentation which is contrary to the requirements the NEPA process. These activities for example does not look at the increase in Air Force personnel which is estimated to number over 4,000 as part of the expansion. There are also instances where the projects will impact mitigation sites set aside as required by previous EIS.

Additional Comments.

As part of the review and analysis of this DEIS are additional and specific comments by subject matter as outline in this submission.

Given these issues, I am recommending that there be NO ACTION of all of the activities proposed in this DEIS.

Si Yu'os Ma'ase',

  
ben c. pangelinan  
Senator

access that balances operational needs, public safety concerns, and the continuing public use and enjoyment of these sites.

**K-052-005**

Thank you for your comment. The Navy collected a robust data set to include coral distribution, benthic cover, fish biomass, and fish and invertebrate species abundance. A standard functional assessment technique that accurately characterized and quantifies losses and gains of coral aquatic resource functions, would ideally be used. However, functional assessment methodologies are an evolving science and the adequacies of existing methodologies are heavily debated in the scientific community. Further, the Compensatory Mitigation Rule recognizes the evolving nature of science on this issue and does not mandate any particular assessment methodology. The Navy assessment used a historically approved methodology followed by the USACE and NMFS for quantifying impacts to coral reef ecosystems. For well over 30 years coral reef ecosystem monitoring and impact assessments have been based on percent coral cover. Due to the complexity of this ecosystem percent coral cover has been identified as "the best current available science" standard (or proxy) to attempt capturing the thousands of elements that comprise a coral reef ecosystem. In light of the continued dispute on what parameters need to be collected to fully capture the impact to coral reefs, the Navy's assessment is currently under review by USACE. Upon completion of that in-depth review, if USACE feels additional information is warranted the Navy will seek additional data and revise its analysis appropriately.

**K-052-006**

Thank you for your comment. Due to the complexity of the project, there are two parts of the cumulative impact analysis: the summary of impacts for all components of the proposed action (Volume 7 Chapter 3) and an assessment of the additive impacts of the proposed action in combination with other past, present and reasonably foreseeable

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projects (Volume 7, Chapter 4). A systematic methodology was applied in both analyses. Volume 7, Chapter 3 summarizes the combined potential impacts of the preferred alternatives for the entire proposed action on Guam and Tinian. The impacts of Volumes 2 through 6 are discussed by resource. At the end of Volume 7, Chapter 3.3 there is a table summarizing the combined impacts of all components of the preferred alternatives. Significant impacts are identified. Trends in the resource health due to anthropogenic and non-anthropogenic factors that impact resource health on Guam and Tinian since World War II are described. This section includes limited quantitative data for proposed action impacts. For example, special-status species habitat loss due to the proposed action and current amount of habitat available island wide is presented in Volume 7, Section 3.3. There is no quantitative island-wide data readily available for most of the resource areas assessed and the impact analysis is often qualitative. Volume 7, Chapter 4, Cumulative Impacts, assesses the potential additive impact of the EIS proposed actions when compared to potential impacts of past, present and reasonably foreseeable projects. The period of consideration for the cumulative impact analysis is 2004 to 2019. The project list is based on best available information from DoD and the Guam Land Use Commission database. There is no National Environmental Policy Act (or similar) document disclosing project impacts for most of the cumulative projects listed; therefore, there is insufficient data on most cumulative projects listed to conduct a quantitative impact analysis. There is a table at the end of Chapter 4 that summarizes the potential cumulative impacts. Potential significant cumulative impacts are identified for some resources. The cumulative impacts analysis has been expanded in the FEIS, including the addition of climate change analysis and analysis of cumulative impacts to coral. The ISR Strike Air Force project is included in the cumulative impact analysis, Volume 7 Chapter 4. Air Force increases in population and aircraft were also included in the planning and development of notional plans for the proposed action. For example, the utilities alternatives

**OVERVIEW**

**K-052-007**

The proper analysis of the Draft Environmental Impact Statement (DEIS) requires the presence of its accompanying document, the Installation and Natural Resources Management Plan (INRMP) to compare the current policy and practice at each installation and comparing it to the proposed policy to ascertain its impact. The INRMP is not a response to the relocation of the Marines to Guam. It is a living document which should have been in place since the amendment of the Sikes Act in 1997 and updated every 5 years. The INRMP is an extremely important management tool that ensures military operations and natural resources conservation are integrated and consistent with stewardship and legal requirements.

The Air Force is required to have an INRMP for the Overlay Refuge unit in Andersen Air Force Base and a separate INRMP for its other land holdings. The Navy is required to have an INRMP for its facilities in northern, central and southern Guam. The Air Force and Navy have a separate INRMP to serve their respective commands. Both the Air Force and Navy INRMP was prepared to meet the requirements of law and is not an actual guide or plan being implemented. Both the Air Force and the Navy's INRMP are currently being revised. It was last updated in 2003 and should have been updated in 2008, why are the installations behind? The authors of the DEIS may have had the privilege of reviewing the proposed INRMP while preparing the DEIS. We are being asked to comment on the DEIS without knowing how each command proposes to manage the natural resources located within its jurisdiction. Are the INRMPs being updated to fit the DEIS or to provide answers to issues brought up during the public comment period?

The DEIS reviews the Guam Integrated Military Development Plan (GIMPD) approved July 11, 2006 and its impact on the environment, however, here is no mention whether the existing or proposed INRMP will address or mitigate the potential problem. While it is not a violation of law, it does require that it be addressed by the Final Environmental Impact Statement.

Volume 2. In many respects, there appears to be much speculation on the part of the Department of the Navy (on behalf of the Department of Defense) in terms of the content and the assumptions asserted in the Draft Environmental Impact Statement (DEIS) as a result of the lack of participation or solicited from the Government of Guam (GovGuam). In some cases, the GovGuam may not have either the resources or the necessary research to properly and wholly contribute to the DEIS process in conjunction with what has been reported by the DON (Department of the Navy). This disconnect may be the leading cause for the inconsistencies and/or the inaccuracies suggested in the DEIS. The following comments, questions, and concerns will point out some of the inconsistencies as noted as well as other peculiarities regarding what is contained in the DEIS. Although this may not be a cumulative or comprehensive collection of comments to point please take note of the ones listed below.

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development in Volume 6, included the planned Air Force population increases in the baseline demand for utilities. The proposed action demand for utilities was added to the planned Air Force demand and other existing population demands. The noise analysis was additive because the airfield baseline included the projected increase of Air Force aircraft in the baseline.

**K-052-007**

Thank you for your comment. Although the Integrated Natural Resources Management Plan (INRMP) is an important management tool for the military, the specific requirements for those plans are not an integral component of this EIS. DoD has worked and will continue to work with the Government of Guam on management of biological resources on Guam.

K-052-008

Thank you for your comment.

K-052-007

Chapter 2, Volume 7 - Best Management Practices and Mitigation Measures. As is common through out the DEIS, the required Installation and Natural Resources Management Plan (INRMP) is missing. How can you discuss Mitigation Measures without presenting the plan? The Chapter states "Mitigation measures for the selected alternative will be identified in the Record of Decision (ROD)." Are they not addressed in the existing or updated INRMP?

This approach is problematic as evidenced by the process which the "Establishment and Operation of an Intelligence, Surveillance, Reconnaissance, and Strike Capability, Andersen Air Force Base, Guam underwent. On June 27, 2006 the USEPA rated the DEIS as Environmental Concerns-Insufficient Information. Among the concerns brought up by USEPA was the impact of the GWA Northern Wastewater Treatment Plant capacity, the solid waste disposal at AAFB, the lack of complete cumulative impacts assessment, noise impacts to residents from the proposed project, and impacts to endangered species.

The Record of Decision dated January 12, 2007 contains factual omission concerning the impact on the Marianas fruit bat. To state that "Conservation measures are incorporated into Alternative A and Alternative B, and implementation of the measures is an essential element of the USFWS's conclusion that the ISR/Strike project is not likely to jeopardize the continued existence of the Mariana fruit bat, Mariana crow, Micronesian kingfisher, Guam rail, or other off-site species listed under the ESA." The November, 2006 Final EIS states otherwise and is noted in comments for Chapter 6 Volume 2 above. These findings are in direct violation of Section 9 of the Endangered Species Act.

K-052-008

It should be noted that the United States government is not interested in protecting the Marianas fruit bat or any other species within the Andersen Air Force Base boundary against the threat of the Brown Tree Snake except for storage sites where Brown Tree Snakes pose a threat of being transported to Hawaii. This statement is supported by the United States Department of Defense report to the Congress titled "Control of the Brown Tree Snake (BTS) dated August 2008. The report places the Brown Tree Snake problem in perspective by acknowledging that Senator Daniel K. Inouye ensured that funding for the BTS Interdiction Program was included in the DOD Appropriation Bill each year from 1993 to 2006. It was not until the National Defense Authorization Act for FY 2004 which amended the Sikes Act by adding a requirement for a pilot program for invasive species management on Guam.

It reported that the Navy captured 152 snakes in the swiftlet caves in 2007 alone, and the swiftlet population increased. It limits the Air Force's involvement to endangered species recovery within their munitions storage area (MSA). The \$200,000 per year program funds WS to remove BTSes from within the MSA. This will eventually allow population of native Guam wildlife, including federally endangered Mariana crows,

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K-052-008

Guam rails, and eventually Micronesian kingfishers, to recover in a place safe from BTS. It omits any mention of the Marianas fruit bat.

It does not identify any study or programs for the Pati Point area which is referred to in the Federal Register dated January 6, 2005 "On Guam, the single remaining roost and most fruit bat foraging habitat found on U.S. military lands; some foraging habitat occurs on private lands and lands belonging to the Government of Guam. The Air Force controls access to Andresen Air Force Base in northern Guam, and the high security and frequent patrols practiced on base effectively create a refuge for fruit bats. The remote and relative pristine area where the roost is located was set aside by the military in 1973 as a research natural area; access to and activities in this area are tightly restricted, but no brown tree snake control currently takes place specifically at the roost site."

The Air Force is in violation of Section 101(g) of the Sikes Act as amended because it does not have an active or on-going eradication program to comply with the law.

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**LAND**

K-052-009

Comment: The Draft EIS must thoroughly explore the option of utilizing current DOD lands for the proposed actions.

Citation: Volume 2, Chapter 19, p 16 Justification: DOD hopes to increase its land holdings beyond their current 30% of the island to accommodate their activities through the lease of additional GovGuam and private land. To construct a firing range, the Draft EIS is proposing acquiring or obtaining a long-term lease for non-DOD lands. There are currently three DOD firing ranges on Guam. Two firing ranges are proposed for the Route 15 lands near Andersen South. The Route 15 lands are owned by private owners and GovGuam. The proposed action would include the federal government acquiring these lands through negotiation. Comment: The Draft EIS must include a complete survey to determine the percentage of increase there will be for the introduction of invasive species. There must also be more information provided about the possible species that could be brought to Guam through increased shipping and construction.

K-052-010

Chapter 9: Recreational Resources

Table 9.1-5 Recreational Resources and Public Access on Apra Harbor.

K-052-011

This site was condemned by the US Navy and her inhabitants were relocated for the construction of the current Naval Base. All cultural and historic sites are only accessible by 'installation personnel and guests only'.

Q: What will happen with other lands that have cultural and historic significance to the indigenous people? What measures are set into place to assure the community that access will not be limited to those with a DOD I.D.?

Q: Why can't the federal government use the already vast amount of land that they already own from the previous surge of military installments?

(9-15) Methodology. Limited visitor data was available for the Recreation plan/review. The data used was from data planners with AFB and NPS (all federal agencies) that only looked at those plans dealing with post-construction.

Q: Why didn't the organizers of the DEIS conduct an accurate study of the 'specific' areas that the federal government deem recreationally measurable? What "few specific locations on the island" were reviewed?

(9-18) Former FAA Parcel. Construction impacts will be compounded by the property being fenced off to restrict access all together. Lose of this resource is not uncommon for

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**K-052-009**

Thank you for your comment. DoD was required to determine whether military relocation requirements could be met by excess, underutilized or otherwise available property held by DoD on Guam. Early development plans attempted to keep all activities on existing DoD lands. However, as discussed in the FEIS (Volume 2, Chapter 2), after applying operational and environmental screening criteria, no contiguous DoD area on Guam was identified that could support all the land use and operational requirements of the action.

**K-052-010**

Thank you for your comment. A percentage increase of invasive species cannot be predicted with any accuracy and the species that may become problematic are difficult to determine. The Micronesia Biosecurity Plan (MBP) that is being developed in conjunction with the proposed action will provide an analysis. The MBP will also provide inspection recommendations for cargo entering and leaving Guam and will recommend steps to prevent spread of invasive species. The MBP will address all aspects of the potential for the transport of brown treesnake and all potential non-native invasive species to other Pacific Islands and to Guam due to military activities originating on Guam. The Navy is in ongoing discussions with the U.S. Fish and Wildlife Service regarding specific procedures and requirements for inspections of cargo and these will be incorporated into the EIS. Information pertaining to the MBP and general biosecurity issues are discussed in Volume 2, Chapter 10, Section 10.2.2.6 for terrestrial species, and in Volume 2, Chapter 11, Section 11.2.2.6 for marine species. Volume 2, Chapter 14 (marine transportation) has been updated to include estimated increases of cargo traffic associated with both organic growth and the military buildup.

**K-052-011**

Thank you for your comment. It is the intent of DoD to maintain public access to the cultural and historic sites at Pagat and Marbo consistent

K-052-011

this area per the document. "Comparable resources would be available in the adjoining properties.

Q: What adjoining properties?

Mitigation measures. Due to Known Distance Range Complex proposed location, the access to and use of the Guam International Raceway, Marbo Cave, Págat Trail and associations to these sites will be ceased. "Negotiations related to land acquisition of the raceway would mitigate impacts to loss of recreational services."

Q: Why can't they find an alternate site that would not hinder the use of these locations?

K-052-012

Volume 2: Marine Corps-Guam Socioeconomic and General Services Page 16-91 Land Acquisition and Leasing: Under Alternative 1 of the proposed action, the military would acquire new lands for development. Assuming this is done through lease rather than condemnation, for parts of these parcels that are public, the military would require a license from the Chamorro Land Trust (CLT). By its charter, the CLT leases land to Chamorro farmers and business owners, or licenses land to non-Chamorros, using the revenues to promote health and development projects for Chamorros. The military's plans to license public lands from the CLT would determine, in part, the CLT's funds for development projects; and a large increase in development funds for the CLT would have a beneficial impact on the Chamorro population.

Comment: CLTC lands are primarily given the indigenous people of Guam who do not have land. There is a provision in the law for CLTC that allows for leases. However, DOD has land to consider within their purview and there is not need for condemnation, lease or sale of Guam lands.

K-052-013

Recommendation: The DEIS must provide the alternative or mitigation method to use its own land before condemning, leasing or buying government of private property. I have not seen anything in Volume.2 that reviews any mitigation to use its own land. If for any reason that the DOD lands cannot be used because of contamination issues, DOD must clean up their lands and comply with all federal and local environmental laws PRIOR to suggesting that other lands on Guam should be used.

Recommendation: Until such time that a study is completed to look at all Guam DOD lands for use as it relates to the military buildup, there should be NO ACTION taken.

Statement of Problem: The U.S. government controls or claims ownership of 35% of the island fast lands. There is the majority view of the residents who believe that the federal government does not need to acquire more lands for its use and that there is sufficient acreage available to the military to contain all their defense-related requirements. The

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with safety and operational requirements. Restricting access to certain DoD areas at certain times is required to maintain public safety. Final plans concerning access to sites potentially impacted by the proposed action have not been developed. DoD looks forward to working with stakeholders to develop plans for cultural stewardship and access that balances operational needs, public safety concerns, and the continuing public use and enjoyment of these sites.

K-052-012

Thank you for your comment. DoD was required to determine whether military relocation requirements could be met by excess, underutilized or otherwise available property held by DoD on Guam. Early development plans attempted to keep all activities on existing DoD lands. However, as discussed in the FEIS (Volume 2, Chapter 2), after applying operational and environmental screening criteria, no contiguous DoD area on Guam was identified that could support all the land use and operational requirements of the action.

Should DoD determine that additional land is necessary to meet its requirements, DoD policy requires that it negotiate with affected public and private land owners in good faith, seek agreements to acquire desired lands interests and pay fair market value. Where circumstances exist that require resolution of issues such as ownership or value, procedures exist under eminent domain authority to resolve those questions. Eminent domain requires reimbursement at fair market value.

K-052-013

Thank you for your comment. Please see response to K-052-012.

K-052-013

military will undoubtedly argue this point and the residents are adamant that there must be no land taking to accommodate the military's needs. How will this issue be addressed?

Areas of concern: Former FAA Housing site, Harmon Annex/Cliffline, Piti/Cabras region, Route 15 (Back Road/Marbo) properties, Naval Munitions Site (NMS) also referred to as Naval Mag properties. Total acreage sought for military use is approximately ±2800 acres not including the Mt. Lamlam access (roadway?) to the Naval Magazine Facility (NMS).

Mitigating action: The federal government and the DOD must refrain from any planned land acquisition through eminent domain or other methods. Unless they can prove that there are insufficient federal-owned lands to accommodate it needs, land taking must not occur. The people of Guam have made their resolve on this matter absolutely clear.  
Statement of Problem: Access to traditional hunting, fishing and ranch/farm lands.

K-052-014

There is an amicable relationship between the military and the civilian authorities when the issues of access to traditional hunting, fishing or ranch lands are concerned. There are cases in which landowners are impeded from accessing their property to engage in leisure activities such as hunting, fishing or week-end type small tract farming. This is particularly true in the northern areas adjacent to or within the Andersen AFB whereby most residents are unable to enter their property due to lack of roadways or vehicular trails but yet are allowed to access these properties using military or federal roadways.

Areas of concern: Presently, the military provides controlled access to such areas as Urunao, Ritidian, Achae, Jinapsan and neighboring areas all within the Andersen AFB confine. Is there any assurance that this system of controlled access will continue once the build-up is completed?

Mitigating action(s): Ensure that certain families who are struggling with access issues are not denied entry to their properties. Maintain a viable controlled access system.

K-052-015

Statement of Problem: Recreation activity at Apra Harbor will diminish or will predominantly be for military personnel and guests only. This area is a popular recreational spot for the residents and visitors to Guam. Many tour operators lease lands in these shoreline areas to conduct a variety of water sport and recreation activity. Families frequent the beaches in this location throughout the week and especially during the week-ends and holidays.

Areas of concern: Civilian port-side from Commercial Port of Guam to Glass Breakwater shore line including Sea plane ramp and Family Beach. Shore-front beach lands extend approximately one mile (±1 mi.).

Mitigating action(s): Allow current access and uses to continue, develop other beach sites in the Commercial Port area if access restrictions are proposed, and develop Harbor of

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#### K-052-014

Thank you for your comment. None of the proposed actions on Andersen AFB would impact access to coastal private lands or the U.S. Wildlife facility. There will be unrestricted access along Route 3a and existing access restrictions to the private coastal lands north of Andersen AFB will remain. This EIS does not address future access restrictions that may be required to meet new security requirements or changes in the military mission.

#### K-052-015

Thank you for your comment. The EIS has been revised to clarify that recreational resources originating from Apra Harbor Naval Reservation and Glass Breakwater will continue to provide access to military personnel, their dependents, and guests only. The Apra Harbor will continue to be open to the general public and visitors to the Island as appropriate. Please note that some recreational resources at Apra Harbor will be off-limits to all persons during construction activities.

K-052-015

Refuge and Cabras beach sites for public use. Allocate funding to mitigate the issues related to diminish recreational uses and benefits for the general public.

### GEOLOGICAL & SOIL RESOURCES

K-052-016

Volume 2, Chapter 3 discusses Geological and Soil Resources. It describes the differences between the northern, central and southern installations but it does not show any plans or processes in place that is being used to mitigate the current erosion problem. Knowing the chemical make-up of the soil at each installation does not necessarily imply what best practices are being followed to minimize soil erosion. The DEIS states that soil erosion occurs at the Naval Munitions Site (NAVMAG) and impacts Fenna Lake but it does not state what watershed program are in place. Their last public debacle was the execution of the *karabaos* (caribou) because the population was unmanageable and was identified as the contributing factor to the turbidity at Fenna. Wild fire is also a contributor to soil erosion, what are the plans or methods to minimize fire. How does the current INRMP for Naval Munitions Site address this situation?  
Without the INRMP for NMS and Apra Harbor how are we to base our comments on the impact of soil erosion when combined with siltation caused by the cumulative dredging impact the corals other aquatic wildlife in Apra?

Volume 2, Chapter 3

Due to the high seismic zone that Apra Harbor and Naval Base Guam are located, any proposed development in this area will prove hazardous. Although the threat for tsunamis on Guam is low due to coral reefs that surround the island as well as the steep slope of the ocean floor, it is still noted that the greatest threat would be to Apra Harbor. This area has the most unique coral formation in the Marianas and it is threatened by the proposed dredging to house a large naval air craft carrier.

(p 3-54) Summary of Impacts

"Relocation of Marine Corps personnel from Okinawa to Guam would require construction and renovation that would potentially disturb soil, increase erosion, and change the landscape of Guam in multiple areas."

Q: Was climate change and storms taken into consideration when considering possible impacts and alternative measures?

"Liquefaction is a risk at Apra Harbor, but impacts to development are not significant."

Q: Who determined what is considered significant?

### TERRESTRIAL BIOLOGICAL RESOURCES

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K-052-016

Thank you for your comments.

Regarding Volume 2, Chapter 3; the DoD cannot assume responsibility for mitigation measures already being enacted on Guam and can only provide data on existing soil conditions, then analyze the likely impacts of the proposed action. Wildfire is discussed in the geology and soils section of this DEIS. See the fire subheading in the affected environment of Volume 2. Wildfire is further discussed in each impact section as relevant, for example, under Alternative 1, Section 3.2.2.1 operations.

The Guam INMRP is referenced for the Guam EIS and is available from the Navy. It is not included in the EIS.

Design of facilities at Apra Harbor is intended to minimize the hazard risks associated with liquefaction from underlying fill, as stated in the EIS. Dredging impacts to coral reefs are found in Chapter 11 marine biological resources.

Regarding page 3-54; long-term climate change is not expected to impact geological resources. Storms are considered when analyzing erosion and later, in the water resources chapter, when analyzing water quality.

The definition of significance of impacts to geological and soil resources was determined by a team of environmental specialists and scientists.

K-052-017

Mitigation measures do not take into consideration the recovery action of native species that are to be relocated based on alternative measures.

Q: Will the restricted access areas allow the local agencies to continue studies and work on sites where native species are relocated to?

**AGRICULTURE**

K-052-018

Citation: Volume 2, Chapter 11, pp 28 - 34 Justification: The increase in shipments to Guam will increase the possibility of accidentally introducing destructive aquatic and land species. One of the main concerns addressed in the Draft EIS is the Brown Tree Snake and the possibility of this invasive species exiting Guam. There is no specific information regarding the inspection of cargo and equipment entering Guam which would stop other invasive species from entering Guam. The main potential sources of non indigenous species to Guam include animals that are inadvertently arrives with shipping traffic. Most of the invasive species found in Guam's waters are found in Apra Harbor.

**DREDGING, MARINE LIFE, & MARINE BIOLOGICAL RESOURCES**

K-052-019

Volume 9, page D2. Mechanical dredges operate best in consolidated, hard packed material since dredging buckets have difficulty retaining the loose, fine material that is often washed away as the bucket is raised. Depending on scow characteristics, excess water drains off at the dredging site reducing the water content of the dredged material to approximately 10 percent. Mechanical dredges are often used in tightly confined areas, such as harbors, around docks and piers, and in relatively protected channels. This type of dredge is not suitable for rough seas or areas of high vessel traffic. By using numerous scows with one dredge, mechanical dredging can proceed continuously. As one scow is being filled, another can be towed to the placement site.

Volume 9 page D3

The dredging method historically used in Guam is mechanical dredging with a barge-mounted crane attached to clamshell buckets to retrieve the sediment and deposit it on a scow (barge). It is likely that this method would be used for the proposed dredging; however, the decision would not be made until the final design. The project would likely be a design/build contract that would not be awarded until the Record of Decision on this EIS/OEIS is complete. Mechanical dredging is assessed as the environmentally conservative method of dredging in the EIS/OEIS should the contractor choose to use an alternative method, informal consultation with agencies and approval by U.S. Army Corps of Engineers (USACE) would be required.

Comment: From the description of "mechanical" dredging, it does not appear it will be conducive for Guam's Apra Harbor; (see page D2). In addition, since it is unclear what kind of method will be used and at what cost until the Record of Decision is completed,

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**K-052-017**

Thank you for your comment. Conservation measures have been clarified and expanded in the FEIS and include improvement of habitat areas that will help recovery of special-status species. The Navy intends to allow Guam agencies access to its lands to conduct monitoring and research provided that these activities do not impair the military mission.

**K-052-018**

Thank you for your comment. A percentage increase of invasive species cannot be predicted with any accuracy and the species that may become problematic are difficult to determine. The Micronesia Biosecurity Plan (MBP) that is being developed in conjunction with the proposed action will provide an analysis. The MBP will also provide inspection recommendations for cargo entering and leaving Guam and will recommend steps to prevent spread of invasive species. The MBP will address all aspects of the potential for the transport of brown treesnake and all potential non-native invasive species to other Pacific Islands and to Guam due to military activities originating on Guam. The Navy is in ongoing discussions with the U.S. Fish and Wildlife Service regarding specific procedures and requirements for inspections of cargo and these will be incorporated into the EIS. Information pertaining to the MBP and general biosecurity issues are discussed in Volume 2, Chapter 10, Section 10.2.2.6 for terrestrial species, and in Volume 2, Chapter 11, Section 11.2.2.6 for marine species. Volume 2, Chapter 14 (marine transportation) has been updated to include estimated increases of cargo traffic associated with both organic growth and the military buildup.

**K-052-019**

Thank you for your comment. The differences between the environmental effects of mechanical and hydraulic dredging are discussed in Chapter 2, Volume 4 and Appendix D of the EIS. Mechanical dredging involves use of a clamshell or fixed bucket that excavates the dredge sediment from the harbor floor and then carries

K-052-019

how can anyone adequately comment on whether this is good for our island? In addition, once the Record of Decision is complete, although we are told we can comment no other changes will be made and although approval from USACE would be required, we do not have any more say as to what methods are used.

Recommendation: Until such time that we are sure of the cost involved and the type of dredging will be used, the dredging or Apra Harbor should *NOT* move forward and that the proposed action should be: NO ACTION.

Volume 9 page D10

K-052-020

1.2.3 Regional Condition 12, Endangered Species

A survey of the project area shall be performed just prior to commencement or resumption of construction activity to ensure that no protected species are in the project area. If protected species are detected, construction activities shall be postponed until the animal(s) voluntarily leave the area. If any listed species enters the area during conduct of construction activities, all activities shall cease until the animal(s) voluntarily depart the area. All on-site project personnel shall be apprised of the status of any listed species potentially present in the project area and the protections afforded to those species under Federal laws. Any incidental take of marine mammals shall be reported immediately to NOAA Fisheries' 24-hour hotline at 1-888-256-9840. Information reported must include the name and phone number of a point of contact, location of the incident, and nature of the take and/or injury.

Note: Conditions 12.1-12.4 pertain to projects within waters that may support listed marine mammals and/or sea turtles. Additional requirements may be designated by the Corps as appropriate for specific projects. Pursuant to the Endangered Species Act, any take of federally protected species (other than marine mammals) must be reported to the U.S. Fish and Wildlife Office of Law Enforcement in Honolulu at 1- 808-861-8525.

Comment: When it is stated that construction activities shall be postponed until the animal(s) voluntarily leave the area, this may take considerable time for this to happen. There is no language to ensure that the animal(s) are protected until they "voluntarily leave". Meaning that you must ensure that no types of methods be used to ensure the "voluntary" movement.

Recommendation: Until such time that a plan is in place to ensure the protection of animal(s) NO MATTER how long it takes for them to "voluntarily" leave, there should be NO ACTION.

Volume 9 Page D12-13

K-052-021

The Navy and GovGuam entered into a Memorandum of Understanding (MOU) (April 2001) whereby dredged material generated by the Navy would be made available to GovGuam. The MOU was specifically prepared for the reuse of Inner Apra Harbor maintenance dredge material at the Commercial Port. Although the maintenance dredging is completed, the MOU continues to be valid. GovGuam would be responsible for 1) laboratory analyses that verify the physical suitability of the material, and 2) NEPA

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the sediment in the full bucket through the water column before lifting the bucket out of the water and placing the dredged sediment in a nearby barge or scrow. During this movement, a small fraction of the collected sediment will escape from the bucket and create suspended sediment in the lower and higher levels of the water column. On the other hand, a hydraulic dredge works solely on the harbor floor and any suspended sediment will emanate only in the lower portion of water column. As a result, the plume of suspended sediment is generally greater with use of conventional clam shell bucket as compared with a hydraulic dredge. However, use of hydraulic dredging is generally limited to soft bottom sediment on relatively flat surfaces. Mechanical dredging, which has historically been used in Apra Harbor, was chosen as the dredging method for evaluating environmental impacts as it presents the most adverse impact scenario.

A sediment plume is an inevitable effect of in-water construction activities. The Navy proposes to minimize sedimentation by using best management practices such as silt curtains and operational controls of dredging equipment. Final mitigation measures for all dredging activities will be determined and agreed upon during the permit phase of the projects.

#### K-052-020

Thank you for your comment. The Navy, in accordance with all appropriate regulatory guidance, will implement appropriate Best Management Practices (BMPs) and actions to avoid, minimize, and mitigate to reduce impacts of the proposed action. More detailed identification of potential mitigation would be done during the US Army Corps of Engineers permit process.

#### K-052-021

Thank you for your comment. Port Authority of Guam improvements represent one potential for reuse of Navy dredged

K-052-021

documents and permits required for the reuse, just as the Navy would be required to meet the documentation for the reuse of dredged material on DOD land. To date, it has not been practical to transfer material to PAG because they have not been prepared to receive and store the material because the Commercial Port improvement projects have not been programmed for funding. Ideally, the material would be transported by barge directly to PAG during the dredging operation. The reasons for not reusing the material include:

- The physical characteristics of the dredged material may not meet the standards for the specific beneficial use alternative.
- The timing of the beneficial use project may not coincide with the availability of appropriate dredged material.

Comment: The Government of Guam has NO funding to comply with this MOU.

Recommendation: Funding must be provided for the Government of Guam. Until such time that appropriate funding is identified and a continuing source of money is provided to be able to do the work necessary to ensure compliance with all environmental concerns to be sure that any material dredged is clear from any contamination, there should be NO ACTION.

K-052-022

Volume 9, Page 24 Section D

The removal of coral from within the project footprint would result in unavoidable significant direct impacts requiring compensatory mitigation. However, there are other considerations when assessing the scale of the impacts. The coral community to be dredged cannot be considered "pristine" as it lies within an existing navigation channel and was dredged during the creation of the Inner Apra Harbor in 1946. In addition, not all coral in the project footprint would be removed, as parts of the area are presently deeper than the required dredge depth (-49.5 ft [-15.1 m] MLLW). In most of the areas shallower than -49.5 ft [15.1 m], only about 1 foot [0.3 m] of reef material will be removed to achieve the depth requirement. After consideration of the factors associated with the CVN project in eastern Outer Apra Harbor, Guam, long-term impacts to coral reef habitats should not represent a major change over the existing condition. As most of the area to be dredged was previously dredged approximately 60 years ago, the present community structure can be considered "re-growth" on the bared reef surface. While the CVN project mitigation models assume 100% loss of this area (Industrial Economics Inc. 2009), within approximately 60 years the second phase of post-dredging re-growth could be comparable to the present conditions. It is also possible that mechanical breakage by the dredge and subsequent cascading of living coral fragments down slope may expand live coral cover to areas previously consisting of unconsolidated sediment.

Comment: These statements are so disparaging to support the dredging of Apra Harbor stating that it was dredged 60 years ago, coral has now grown and thriving wildlife (although not "pristine" as indicated in the statements above) and now we can dredge it

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material. Port Authority of Guam has not provided specific reuse projects for consideration that would occur during the proposed Navy dredging. There are other reuse options described in Volume 4 that are being considered by the Navy and the proposed action is not dependent on Port Authority of Guam reuse. No funding for dredged material testing for Port Authority of Guam reuse of Navy dredged material is proposed.

K-052-022

Thank you for your comment. The commenter needs to remember that Apra Harbor is a working commercial harbor, along with the Navy and US Coast Guard. The proposed dredged channel alternative carried forward in the EIS is the least favorable for navigation, but is the least environmentally damaging because it minimizes direct impact to existing high quality coral shoals and requires less dredging than the other channel options considered.

Habitat assessment methodologies which evaluate the function of affected aquatic resources, such as coral reef ecosystems, are an evolving science and the adequacies of existing and new methodologies are heavily debated in the scientific community. Ideally, a standard assessment technique that accurately characterizes and quantifies losses and gains of coral reef ecosystem functions would be used. However, rulemaking for the Compensatory Mitigation Rule recognizes the wide variety of aquatic resources present in the United States and the evolving nature of science regarding aquatic ecosystem restoration make the establishment of standard assessment methodologies impracticable. The assessment for this EIS used an historically approved methodology (percent coral cover), supplemented by other methods such as the use of Light Detection and Ranging (LIDAR) satellite photos, for quantifying impacts to affected coral reef ecosystems impacted by the proposed transient CVN wharf and associated dredging. DoD believes that use of the percent coral cover

K-052-022

and within "approximately 60 years" will be "comparable to the present condition. What these statements mean is that we have to wait 60 years after dredging for it to be what is today. We have waited 60 years for what it is today. Why would we want to interrupt the coral and wildlife to make room for nuclear ships and wait another 60 years for it to thrive?

Recommendation: The only answer to this is NO ACTION.

Comment: DOD must include deeper reef areas (deeper than 60 feet) in the impact analysis. Data is not currently available for these areas, so additional coral reef surveys must be carried out. The results of the complete impact analysis should be provided prior to the release of the Final EIS.

Citation: Volume 4, Chapter 11, Section 11.2.2.2 (Page 45)

Justification: Corals are tiny, sensitive animals. More than one coral in a group is called a coral colony and more than one coral colony is a coral reef. Corals are very slow growing. When coral colonies grow together it creates a coral reef. Reefs protect Guam from powerful waves and create a home for fish. Reefs are also a main reason tourists visit our island. The proposed dredging project in Apra Harbor does not include a complete analysis of how the coral reefs in the area will be impacted. The plan does not mention what the dredging will do to the 25 acres of reef found right next to where dredging will occur, but which are deeper than 60 feet; these reef areas are very vulnerable to the impacts from dredging. There are an additional 70 acres of reef that may be impacted by the dredging but which are not included in plan. Comment: DOD must include deeper reef areas (deeper than 60 feet) in the impact analysis. Data is not currently available for these areas, so additional coral reef surveys must be carried out.

The results of the complete impact analysis should be provided prior to the release of the Final EIS.

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methodology, supplemented by use of LIDAR satellite photos, is the "best currently available science" to attempt to capture the thousands of elements that comprise the function of a coral reef ecosystem. DoD's assessment is currently under review by the US Army Corps of Engineers, the agency charged with implementing dredge and fill permits under CWA Section 404, and other Federal agencies. The FEIS will be updated to reflect the latest developments in this review.

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should not state that there is no evidence to suggest of species unique to the dredging impact area until the appropriate surveys are conducted. These surveys should be conducted by personnel with the appropriate level of taxonomic expertise. In addition, coral species lists and photographs from surveys carried out as part of the methods comparison study were provided to the Navy consultant by U.S. Fish and Wildlife Service several months prior to the release of the Draft EIS. Several coral species observed within the impact area do not appear to have been recorded elsewhere on Guam, with the possibility of some species not having been reported anywhere in the world. While it is unlikely these species are only in the dredging area, the possibility must be investigated sufficiently by DOD, even if these species do occur elsewhere in the harbor, they may be quite rare and demand special attention.

Citation: Volume 4, Chapter 11, Section 11.2.5.1 (Page 99) Justification: Guam biologists have found several corals, sponges and other organisms in the area that may be dredged that may not have been found anywhere else in Apra Harbor. There are other rare species that may be impacted by the dredging.

Comment: The use of artificial reefs as a way to replace destroyed or damaged natural reefs should be removed from consideration. A more thorough review of a large-scale watershed restoration plan should be provided. Watershed restoration should include projects that will improve water quality, which would improve coral reef conditions. Projects could include reforestation, stream bank stabilization, erosion-control projects, fire prevention and enforcement.

Citation: Volume 4, Chapter 11, Section 11.2.2.7 (Page 81) Justification: Artificial reefs are not an appropriate way to replace a natural reef. The Draft EIS proposes replacing the lost natural reef in Apra Harbor with artificial reefs instead of paying for other, more beneficial and effective projects, such as watershed restoration. Comment: The Draft EIS must include a study of the expected impacts to Guam's reefs (on-base and off-base) as a result of the population increase. Such an analysis should examine the impacts of the H-2 workers, the immigrant population from neighboring islands and military personnel on Guam's reef fisheries. The analysis should also examine the impacts of additional recreational use (diving, snorkeling, reef walking, etc.) on Guam's highly-visited reef sites. The Draft EIS should also include a commitment to specific mitigation measures, which may include building local government capacity to carry out monitoring, enforcement, and educational activities; supporting educational activities targeting H-2 workers and immigrants.

Citation: Volume 7, Chapter 3, Section 3.3.10, (p 32) Justification: Much of Guam's reefs will be under increased threats because of the military buildup, especially when considering the impacts of the massive population increase. The increase in people harvesting fish and other animals from the reef and the increase in visitors will put many of Guam's reefs at risk. None of these impacts were addressed by the Draft EIS.

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Comment: Coral colony density and size must be used in the impact analysis and in the model that determines the type and size of the coral reef area that needs to replace the reef destroyed or damaged by dredging. This data was collected by the Navy consultant in 2009, but the methods used were not appropriate and thus the data is not usable. This data must be collected using methods supported by the regulatory agencies, and the results of the new impact analysis must be provided for review prior to the release of the Final EIS.

Citation: Volume 4, Chapter 11, Section 11.2.2.5 (p 75) Justification: Any action that destroys coral reef habitat must replace what is lost at another location and must compensate for the time it takes for the replacement reef to become "full-grown." The Draft EIS preparers did not use the number or size of coral colonies when making that calculation, therefore lessening the worth of the reef that may be dredged and resulting in a smaller replacement reef. Also, the Draft EIS only considers areas with coral, and does not consider large areas that may not have coral, but which may have sponges, algae, and other important reef organisms.

Comment: The impacts of all the projects affecting a reef area must be thoroughly examined. In addition, the impacts of climate change on Guam's reefs must be included in the impact analysis. They should also be included in sections of the Draft EIS addressing specific projects to marine resources. Reef recovery data needs reflect other threats to Guam's reefs including climate change.

Comment: The DOD needs to use more comprehensive data about sea turtles in the Draft EIS.

Citation: Volume 4, Chapter 4, Page 34, Subpart D Justification: The Draft EIS does not utilize information about sea turtles on Guam relevant to Apra Harbor. There is sea turtle data which would provide more accurate estimates of sea turtles and require the military to do more mitigation for these endangered animals. Green and hawksbill turtles are known to utilize Apra Harbor, but there are only historic records documenting use of beaches for nesting near the project area. The Navy recognizes that there are many ongoing and recent past studies on the subject of potential exposures to sea turtles and other marine species from pile driving actions. Further research and validation of these studies are necessary before being able to determine how useful the studies would be to the proposed action within this Draft EIS. Comment: The Draft EIS must specifically state what animals, trees and other organisms currently live within the project area and how many of each population will be destroyed due to the project.

K-052-023

Citation: Volume 5, Chapter 10, Page 11, Section 10.2.3.1 Justification: Guam has many animals that are listed as possibly at threat including coconut crab, endangered snails, sea turtles, fruit bats, Micronesia Kingfisher, the Ko'ku bird and reef fish. These are very few

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### K-052-023

Thank you for your comment. The EIS evaluates impacts to all listed threatened and endangered species as well as other wildlife. For wildlife, impacts to common species are noted but not evaluated in detail. For wildlife, emphasis is placed on uncommon or rare species or those species specifically protected by law such as migratory birds. The numbers of individuals that might be impacted are typically not determined because animals move and populations fluctuate through time. Where listed or rare species are present in a project area, a description of the population, as currently understood, and an evaluation of impacts to that species has been provided. In some cases additional surveys of the area or relocation plans have been noted as required prior to implementation of any of the projects. Impacts from habitat fragmentation have been considered and have been minimized in the planning process. The military is working with the U.S. Fish and Wildlife Service to further identify ways to reduce fragmentation and other impacts and to provide mitigation for all impacts. The result of this process will be incorporated into the Biological Opinion that is being developed by the Service.

K-052-023

of these animals remaining on Guam. The main threats to these animals are the destruction of habitats, over-harvesting, and invasive species. The increase in population and construction activities may make recovering of threatened and endangered native species impossible due to the removal of trees and splitting of habitats. Having habitat is critical to protecting species. There are many clearing projects happening on Guam that require vegetation to be cleared. Many of the projects are in separate locations. This separate clearing creates habitat that looks like "jigsaw puzzle pieces" not connected. Proposed construction activities would displace the species and other wildlife from suitable habitat in the proposed project area. The action would include removing essential habitat for the fruit bat, Kingfisher, Marianas Crow and Crow recovery zones.

K-052-024

Chapter 11, pp 11-30 & 11-58. The DEIS stresses that Finegáyan will be an affected area which contains "a coral area of special significance... and enhances this area as a nursery for species of subsistence and commercial fishery value." But on p. 11-58, there are several indications made by the DON that any/all activity that is to take place at Finegáyan will have a an LSI to fish and EFH. It appears that construction permits are supposed to be sufficient for the protection of the marine life in this area. Furthermore, while the DON reports that "the extent to which the coastal waters off Finegáyan are used for commercial, recreational or subsistence fishing has not been determined," the department also expects that there will be an increase in activities that include boat tours in the area. The DEIS goes on to say that there may be increased boating-related recreational activities associated with construction personnel but that this type of activity will be minimal.

How was it determined that there will be an LSI if there is to be an increase of activities, and who made this determination?

How does the DON guarantee the protection of the coral area and the marine life at this site through the issuance of construction permits as stated in the DEIS (p 11-57)?

The U.S. Fish & Wildlife Service profiles the Green sea turtle (*Chelonia mydas*) as an endangered species. The DEIS reports that under Alternative 1 (in this chapter) will have a minimal effect—not an adverse effect—on the green sea turtles and would result in a LSI to such species.

At whose discretion is an LSI to an already endangered species determined?

The DON reports that mitigation will include outreach and educational programs as well as strict rules and regulations, but this does not guarantee the destruction of the marine life, etc.

Suggestion: Establish, construct, and maintain a marine habitat that shall be operated and managed by the University/Government of Guam for the rehabilitation and other

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## K-052-024

Thank you for your comment. The Essential Fish Habitat (EFH) Assessment has been revised as mitigation measures are not factored into this assessment. Additionally, clarification of impact analysis has been added to the Final EIS.

The Navy, in accordance with all appropriate regulatory guidance, will implement appropriate BMPs and actions to avoid, minimize, and mitigate to reduce impacts. The final conceptual determination of required BMPs and mitigation would not be made until the Record of Decision on this EIS. As identified in the 10 April 2008 Federal Register, 40 CFR Part 230, the final US Army Corps of Engineers (USACE) compensatory mitigation rule, permit applicants are required to mitigate to no net loss of ecological services and function. Ultimately, the compensatory mitigation is subject to approval by the USACE under the CWA through the Section 404/10 permit requirements.

K-052-024

measures required to sustain the marine life that will be affected through the construction and activities that will take place at the Haputo ERA habitat. Provide all the necessary resources for researchers to continue to their work in pushing for the protection of these species—native and non-native alike. This type of establishment should include all those marine flora, invertebrates, and EFH that are expected to be *minimally affected*.

\*Chapter 11, p 11-66

Activities that are to take place in Apra Harbor “may” negatively impact marine or estuarine organisms or habitats according to the DEIS. Plenty other issues are stated in the DEIS for the Apra Harbor site that concern the marine habitat for marine life, etc, but only one alternative has been offered.

Suggestion: The No-Action Alternative is the best way for mitigation as there are many items (as listed in the DEIS) that may be negatively affected with only one alternative (out of 8) offered by the DEIS. Such an indication is strong in the sense that there is too much at risk for this type of operation.

It seems that the Summary of Potential Mitigation Measures lists the same information among all four alternatives with the exception of only a few items. These suggested alternatives are only useful for increasing awareness but do not physically address the situations that will arise as a result of the construction and operations expected to take place in any of the identified areas as noted in the DEIS.

#### MARINE TRANSPORTATION

K-052-025

14.2.2.4 Harbor. Construction: “It has not been determined whether the dredged material would be disposed in the proposed site offshore of Guam, or one or more upland placement sites with or without possible beneficial re-use on Navy land on Guam or a combination of all disposal options.” Comment: It doesn’t indicate where the proposed sites are or the impacts to the environment at those locations. What is in the dredge materials? What impacts would there be to commercial shipments coming through the port? What type of dredging will they do to remove the sediment/coral? How will they mitigate the loss of marine habitat?

K-052-026

K-052-028

#### AIR SPACE/QUALITY

K-052-029

7.2.2.2 Firing Training. Indicates “under Alternative B, the Special Use Airspace (SUA) would fall partially within the existing airport Class D airspace”; therefore, a need to modify “departures from Runway 6 (RW 06) would have to be modified to ensure that departing aircraft would be above 3,000 feet AGL or execute a right turn after departure. This would not any significant adverse impacts on general aviation air traffic since aircraft departures, arrivals, and traffic patterns would not change.”

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#### **K-052-025**

Thank you for your comment. Information on the location of the proposed ocean dredged material disposal site, alternative upland disposal sites, and the characteristics of the proposed dredged material is contained in the draft environmental impact statement “Proposed Site Designation of an Ocean Dredged Material Disposal Site Offshore of Guam” issued August 7, 2009. This document is available at <http://www.epa.gov/region9>.

#### **K-052-026**

Thank you for your comment. If it is determined that the dredged material would be disposed at the ocean disposal site, there would be about 150 trips by a tug and scow to transport the dredged material (see Volume 4, Chapter 14).

#### **K-052-027**

Thank you for your comment. Chapter 14, Volume 4 notes that dredging could be conducted by hydraulic or mechanical dredge. The choice of dredging equipment and any restrictions on use would be determined during the permit phase of the proposed project.

#### **K-052-028**

Thank you for your comment. A detailed compensatory mitigation plan would be submitted as part of the Clean Water Act (CWA) 404 permit application for construction affecting the navigable waters of the United States (including the CVN transient wharf). Due to the ongoing review of DoD's habitat assessment methodology for coral reef ecosystems and associated uncertainties regarding the scope of mitigation required, a detailed mitigation plan has not been developed nor will one be available for incorporation into the Final EIS. However, a number of mitigation options, including watershed restoration and the use of artificial reefs, are discussed in programmatic nature in Volume 4, Section 11.2 of the

K-052-029

Comment: Major inconsistency

The underlined message above indicated a change to departures yet the impact mentioned there is no change to departures. Also DEIS, doesn't indicate wind variables to a change on arrivals. If winds shifted you could use (RW 06) for an arrival as well. There would also be a need to change arrivals patterns.

Recommendation: Relocate Firing Training facility or No-Action Alternative

Volume 2, Chapter 5 discusses Air Quality. No comment on this Chapter is offered since the data is statistical and does not relate to something which is tangible.

K-052-030

Statement of Problem: Noise and Air Traffic from Military Aircraft Activity

Area(s) of concern: Guam's IAP, the A.B. Won Pat International Airport will see competing entries within its "Class D" airspace. Noise and air traffic poses the greatest concern to residents while having little to no control over such factors (FAA regulated). In the past, when the military conducted aircraft landing exercises, referred to as "touch and go" type landing maneuvers, there were many civilian complaints in the areas of Mongmong, Toto, Maite, Barrigada and other provincial areas around the IAP. These type of flight exercises disrupted school operations, rest and recovery time for civilian labor force persons, and posed extensive degree of concern by residents that the frequency of this type of aircraft exercises raise fear levels about aircraft accidents even though the Naval Air Station is no longer in Tiyan. As such, how will such exercises be managed in the future? What communities (villages) will be most affected by the noise and danger of these type of activity? Dededo, Yigo, Astumbo and other areas near or around Andersen AFB will be adversely affected it is believed. The DEIS does not address these issues adequately.

Mitigating action(s): The U.S. Navy and Air Force must advise the civilian communities of these types of events and schedule their occurrence at times when it will have the least disruptive effect on the resident population or communities. Best case scenario is to not conduct these type of operations at all however, this being an unfeasible alternative; the military should be cognizant while keeping constant communication with the FAA and civilian authorities. Any precautionary measure that can be taken should be taken.

K-052-031

Statement of problem: Special Use Airspace (SUA)

There are a variety of SUA designation that exist however the type that adversely affects Guam is the Warning Area (WA) that overlaps territorial waters to the south-southwest of the island (Cocos Island area). Special Use Airspace is under the jurisdiction of the FAA within three miles from shore and under military and adjacent state control beyond twelve nautical miles off-shore.

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Final EIS. DoD recognizes that, as part of the CWA Section 404 permitting process, additional NEPA documentation may be required to address specific permitting requirements and implementation of required compensatory mitigations.

K-052-029

Thank you for your comment. Text has been changed to reflect (and to be consistent) with the proposed Restricted Area for the firing range (Vol 2 Chapter 7 (7.2.2.2) at will require the FAA to re-design the approaches into W. P. Won Pat IAP RW 06 and RW 24. The slight modification to the flight track will have no significant impacts to current airspace management or safety.

K-052-030

Thank you for your comment. There are no plans by the USMC to use the IAP as part of this proposed action. Interfacility flightpaths between Andersen AFB, Andersen South, NMS, and Orote Field would be over water. The noise levels for the flightpath between Andersen AFB and Northwest Field is included on Figure 6.2-1.

K-052-031

Thank you for your comment. Under this document, the proposed action for the move of Marines to the Island of Guam does not require changes to the existing Warning Areas. This document does not address the Warning Areas since they are not part of the proposed action.

**K-052-031**

Area(s) of concern: The designation of SUA in the deep sea area 50 miles (80 km) south-southwest of Guam threatens a local ocean route and fishing activity to two well known deep sea fishing areas known as Galvez Bank and the Santa Rosa Reef. These traditional prime fishing spots are visited and enjoyed by many deep-sea fishermen from Guam and the CNMI. This area is designated W-517, and is known as a "Warning Area" whose access could be restricted by the military or the FAA.

Mitigating action(s): The Warning Area and SUA designation issue poses a concern for the fishermen who frequent the W-517 sector. The military must be advised that this threat exists and that there are adverse impacts that affect both economic and resident livelihood. "WA" or "SUA" designation can be reconsidered and removed or lifted are alternatives to the problem.

**K-052-032**

Statement of problem: Exclusion of the full environmental impact of the Mariana Islands Range Complex (MIRC) in the DEIS. Study does not take into consideration the unique and separate environmental impact of the MIRC on the island its residents and the adjacent and surrounding communities.

Area(s) of concern: The MIRC is expected to have significant adverse impact on the island from several perspectives. With respect to airspace, there is much apprehension about the airspace above the range complex area and the adjacent areas. What type of new danger would such a facility pose upon the residents and the communities around it? What plan(s) for mitigation are forthcoming on this project and will the people especially those affected, have the opportunity to voice their input or concerns before the plan is put into effect. Unfortunately, this DEIS and the MIRC are moving forward simultaneously and this opportunity may not occur.

Mitigating action(s): Allow the people of Guam the opportunity to comment on the MIRC project and consider their input. Ensure that this DEIS incorporates the findings of the MIRC EIS/OEIS so that repercussion from adverse impacts does not cause a problem for the residents and the military at a later time.

**K-052-033**

Statement of problem: Andersen and North West Field forests are natural habitat for the Marianas crow. There is a major concern for the proliferation of this species if not its basic survival due to increased military flight activity in these areas. This species is already in danger of becoming extinct due to tree snakes and land development activity throughout the years. How will this problem be addressed in the forthcoming build-up affecting habitat in the Andersen and North West Field areas?

Area(s) of concern: Protection of the Marianas Crow and other birds native to the Andersen and North West Field areas. What plan or program is to be implemented to protect the wildlife and bird species found in the areas mentioned?

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### **K-052-032**

Thank you for your comment. DoD understands that the MIRC program and the proposed military relocation are closely associated. The MIRC program has been considered in the cumulative impacts discussion included in Volume 7 of this Final EIS.

### **K-052-033**

Thank you for your comment. On Guam there are currently only 1 or 2 male Mariana crows and territories of these birds are not present in proposed project areas. Prior to any construction a survey would be completed in the area and if any crows were present construction would be limited. No other rare birds are known to be present in the proposed project areas. Numerous biological conservation measures are discussed in the EIS to protect and enhance existing habitat for plants and animals. Discussions are ongoing with the U.S. Fish and Wildlife Service (FWS). Details of these measures will be in the FWS Biological Opinion.

K-052-033

Mitigating action(s): Chapter 7 of the DEIS does not mention or address these potential adverse impact. Mitigating measures that specifically deal with increased flight and aircraft training activity as it relates to the bird species in the area not to mention other wildlife, is absent from the evaluation or assessment.

NOISE

K-052-034

Volume 2, Chapter 6 discusses noise. As more planes and other flying machines are brought to AAFB and NWF the amount of noise associated with the mission will also increase. How is AAFB currently dealing with this situation?

The Record of Decision (ROD) Final EIS for the Establishment and Operation of an Intelligence, surveillance, Reconnaissance, and Strike Capability AAFB, Guam signed on January 11, 2007 stated "The Air Force does not consider the unavailable information regarding potential relocation of Marines to Guam to be relevant to any significant environmental impacts or essential to any reasoned choice among alternatives for the ISR/Strike bed down and operations." What is the cumulative impact of noise in the community both in the fence and outside the fence?

Noise is addressed in the context of its impact to the human ear. It does not address the impact to the Endangered or Threatened species. In a report filed by U.S. Fish and Wildlife and published in the Federal Register in 2005, it stated "Military training activities in areas used by fruit bats could disrupt the behavior of these bats." It went on to state, "A study of the effects of aircraft overflights on the Mariana fruit bat at Andersen AFB, Guam, found that current levels of air traffic appear to be within levels that are tolerable to the colony at Pati Point. Higher levels of aircraft traffic, particularly low-level field carrier landing practices (FLCPs), would have a potential to cause partial or complete abandonment of the Pati Point roost. Nocturnal FLCPs and other air traffic pose an even greater risk to fruit bats because animals are in the air, traveling between the roost and various foraging areas at night; under these circumstances it is possible that low-flying aircraft may even strike bats. An increase in air traffic at Andersen Air Force Base has been proposed and is currently under NEPA review."

The NEPA review is completed and among the comments in the Final EIS of November, 2006 is "Noise levels associated with increased aircraft overflights would incrementally increase over a multi-year period, and would occur over areas important to the Mariana fruit bat and Mariana crow." It further states "An incidental take statement, as part of the Biological Opinion, anticipates the harm of one Mariana fruit bat, mortality of 21 fruit bats on Guam, mortality of 36 fruit bats on Rota, and the harassment of two colonies." This is not legal because it results in the loss of threatened species.

Comment: The Draft EIS must address noise impacts for the aviation airlift and air drop operations flight paths to and from base operations and landing zones at Andersen Air Force Base, Northwest Field, Andersen South, Navy munitions sites, and Orote Fields.

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**K-052-034**

Thank you for your comment. Noise associated with Andersen AFB is described in Volume 2, Section 6.2 and referred to as Airfield Operations and includes both the USMC Guam Relocation and the ISR/Strike operations. Impacts to biological resources including the Mariana Fruit Bat are provided in Volume 2, Chapter 10. Please refer to that section of the EIS for more details about noise impacts to biological receptors.

K-052-034

The Draft EIS must include discussions and assessments to determine impact, alternatives, and mitigation to residents and endangered species outside the DOD fence line.

Citation: Volumes 2, 5, 6, and 7; Noise impacts were found to have "less than significant impacts" (LSI) or "no impact." No aviation training would occur at non-DOD lands and therefore no noise impacts would occur.

Volume 2, Chapter 6, Page 30 Justification: The Draft EIS claims there will be an insignificant increase in noise pollution from DOD activities to warrant any mitigation. Noise impacts are not addressed for airlift and airdrop operations flight paths, base operations or landing zones.

#### VISUAL RESOURCES

K-052-035

All alternative Mitigation measures are exactly the same. Alternative 1-8: To alleviate the impact on public views, use native flora to create a natural "screen" around cleared range areas outside of the Main Cantonment perimeter. Implement a landscape plan focused on retention of mature specimen trees during construction. Minimize open areas along the perimeter of the Range Complex and non-fire training area if security requirements permit.

Q: If all the alternatives are the same, what chance do we have to alleviate the disturbance of the clearings?

No real impact seen as an issue but there should be alternatives to the alternatives.

#### UTILITIES

K-052-036

Volume 2, Chapter 4 discusses Water Resources. The dilemma for the north is that erosion is not much of a problem but contaminants on the surface which will be brought into the water lens after a rain storm are not addressed. These contaminants come from the washing down of the air crafts, fuel and oil stored for use by the air crafts. As the military constructs whatever it needs it is done at the expense of the space available for the water to infiltrate. Just as the volume of flights increases, the washing of the planes will also increase. How will this impact the water lens at Andersen? What level of contamination will filter down to the lens? What will the impact of the sustainable yield be?

We know from current and past experiences that Fenna has to limit its water production due to turbidity caused by heavy rainfall. The Navy is not able to supply ample water to its installations and to the villages which are on the same water distribution system that has been in place since the end of World War II. The IMRMP is a management tool

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#### **K-052-035**

Thank you for your comment. Under any alternative, mitigation measures would be implemented to maintain the existing appearance of the heavily vegetated area of the Route 15 lands and their vicinity. While the mitigation measures are the same, they apply to specific areas that each alternative action would affect.

#### **K-052-036**

Thank you for your comment. DoD and regulatory agencies are equally concerned about preventing contamination of surface waters and groundwater (particularly drinking water aquifers). The EIS describes numerous programs and actions that will be taken to protect surface waters and groundwater from stormwater runoff. Construction of new facilities will use Low Impact Development (LID) principles to the extent practical. LID is a design philosophy that seeks to reduce the impact to the environment from new construction projects through the reduction of impervious surfaces. LIDs principles incorporate the design of facilities with the use of native vegetation, pervious (porous) surfaces to reduce storm water runoff and encourage recharge of groundwater, and water conservation. DoD is currently conducting a LID study that will identify specific types of alternative designs that can be incorporated into the construction of facilities associated with the buildup. DoD is also preparing a stormwater pollution prevention plan (SWPPP) and will apply for permits that regulate stormwater discharges during construction. The permit and plan is focused on reducing the amount of earth and soil that is exposed to stormwater during earth-disturbing activities (such as land clearing and grading), providing stabilization of soils during construction through the use of ground covers, and sediment ponds and traps/screens to reduce pollutants getting into storm runoff and from percolating into the ground. These plans also have specific requirements for containment of potential pollutants at construction sites (such as storage areas for equipment fuel). Lastly, DoD is developing a recycling plan in consort with the stormwater construction plan that calls

**K-052-036** | which is supposed to be used to address such a dilemma. What watershed programs have been instituted and what programs are being proposed?

**K-052-037** | Citation: Volume 7, Chapter 4, Section 4.3.4 (Page 20) Justification: The combined impacts of the buildup projects, other military projects, and non-military projects will have a larger impact on Guam's reefs than the impacts of any individual project. These combined impacts, including the expected impacts of global climate change, on Guam's reefs are not adequately addressed in the Draft EIS. Comment: The Draft EIS needs to address how the Department of Defense will contribute to Guam Waterworks so the utility can meet the mandates of the laws in the Guam Quality Water Standards and the discharges at the outfall that are pumped into marine environment.

Comment: The Draft EIS notes GPA will exceed its current permit, but the Draft EIS shifts the burden to the local utility to solve the issue. The Draft EIS doesn't address the total pollutants during peak traffic hours and peaking generators being utilized at the same time in highly populated areas. The Draft EIS needs to include alternative operating scenarios with GPA in reducing the operations of peaking generators located in densely populated areas.

**K-052-038** | Citation: Volume 6 and 9 Justification: The increased need for power and would exceed the current Permit Requirements that GPA follows. In order to meet the power demands, GPA would have to apply for a new air pollution control permit from Guam EPA. Federal Exemptions related to diesel fuels should be reevaluated because of the increase usage of heavy diesel equipment. The power demand will exceed current Operating Permit Requirements and that mobile sources are a concern at heavily traveled areas.

**K-052-039** | Comment: Of great importance is the protection of Guam's "priceless" northern aquifer, the source of 70% of the water on Guam. The proposed buildup can in no way threaten this resource. The Draft EIS must address off-base impacts on the GWA water system that arise from the buildup. Justification: The Draft EIS says 60-70 million gallons a day (MGD) will be needed during the construction phase of the buildup. After the construction phase, 60 MGD will be required to support the new facilities and population growth. These projections will leave between 20 MGD in Guam's northern aquifer during the construction phase and afterwards for future growth beyond the buildup. The Draft EIS proposes drilling 22 new wells on military property to provide the water needed. It also looks at other options including expanding the amount of water taken from the Fenna Lake, desalinization and using new surface water sources. The only option in the Draft EIS for providing water for non-military civilian growth is for GWA to drill 16 additional wells on civilian property. GWA proposes integrating the new water wells and distribution systems into a single system to serve all the growth in northern Guam from both civilian and military growth. GWA also proposes that DOD must also pay for indirect impacts on GWA's system caused by the buildup since not all the

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for the use of mulch on exposed soils, mulch that will be generated during the clearing of trees and low growth during land clearing activities. Once construction is complete, a SWPPP will be developed to control stormwater runoff and infiltration from base operations. This is being done on a regional DoD Guam-wide scale, and has the involvement of Guam EPA.

**K-052-037**

Thank you for your comments. Upgrades to the current primary treatment plant would occur within the 2012-13 timeframe, which would reduce the effluent levels to levels less than the No Action Alternative. Volume 7 text has been revised. The cumulative impacts analysis has been expanded in the FEIS (Volume 7, Chapter 4), including the addition of climate change analysis and analysis of cumulative impacts to coral.

**K-052-038**

Thank you for your comment. However, there must be some confusing language in the DEIS or a misunderstanding. Under the preferred power short-term alternative #1, none of the existing generating facilities owned by GPA would operate above their current permitted time or emission levels. This would be true for some of the non-preferred alternatives and suspect that is where the misunderstanding occurred. We will examine the wording in the appropriate areas of the document and clarify the language as necessary. In addition, some revised approaches to power demand would result in very low usage of the peaking generators and this will be reflected in the final EIS. Also Volume 6 Chapter 7 does examine the pollution levels at key intersections.

**K-052-039**

Thank you for your comment. Up to 22 new water supply wells are proposed to provide additional capacity for the DoD water system. These

**K-052-039** impacts occur "behind the fence". The Draft EIS does not address off-base impacts on the GWA water system that arise from the buildup.

**K-052-040** Comment: The Draft EIS needs to include information about how climate change will affect the recovery of coral in the project area for the dredging of Apra Harbor. The Draft EIS must include information about how sea level rise may affect the pressures on the Northern Guam Lens and if that would have any impact on the wells for potable, drinking water.

Justification: Sea level rise may impact many areas of the proposed projects including how corals recover in the dredge zone, the pressure and position of wells over the Northern Guam Lens and construction projects close to shore. Climate change and sea level rise were not included in the Draft EIS.

#### WASTE WATER

**K-052-041** Citation: Volume 7, Chapter 4, Section 4.3.4 (Page 20) Justification: The combined impacts of the buildup projects, other military projects, and non-military projects will have a larger impact on Guam's reefs than the impacts of any individual project. These combined impacts, including the expected impacts of global climate change, on Guam's reefs are not adequately addressed in the Draft EIS. Comment: The Draft EIS needs to address how the Department of Defense will contribute to Guam Waterworks so the utility can meet the mandates of the laws in the Guam Quality Water Standards and the discharges at the outfall that are pumped into marine environment.

#### SOLID/HAZARDOUS WASTE

**K-052-042** Comment: The draft EIS include a study about what will be in the military's waste going to Guam's landfill and it does not address how that increase of waste will be managed. Citation: Volumes 6 and 9 Justification: The military will rely on GovGuam's landfill to take its trash and construction debris. The draft EIS does not include a study about what will be in the military's waste going to Guam's landfill and it does not address how that increase of waste will be managed. The military's trash is estimated to peak at 23 of the largest solid waste trucks going to Guam's landfill every day.

Citation: Volume 6, Chapter 2, Section 2.4.5 (Page 102) Justification: The DOD is proposing to be a customer of GovGuam's permitted landfill facility in Layon. The amounts of solid waste created by DOD will more than double between 2011 and 2014. In 2014 there will be 132,970 tons of solid waste sent to Guam's landfill. Guam EPA requires that a separate Solid Waste Management and Disposal Plan be prepared and submitted. This plan must include a study about what is included in the waste. This study will help address the anticipated waste associated with each activity, its impact to the existing management options, and how such waste streams will be managed.

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wells would be installed in Northern Guam and extract potable water from the northern Guam lens aquifer. Operations at Fena Reservoir would not be modified at this time. The estimated sustainable yield from the northern Guam lens aquifer is estimated at approximately 80 million gallons per day. Aquifer sustainable yield is the amount of water that can continuously be withdrawn from groundwater sources without degrading water quality or viable production water. The estimated total average daily water demand from this aquifer is 63 million gallons per day at the peak of construction of the proposed DoD buildup. Thus, there will be an adequate supply of potable water. DoD and Guam Waterworks Authority plan to jointly manage the production of water. Also DoD is an advocate for grants and low cost loans to Guam Waterworks Authority so they can improve their distribution system and reduce water loss due to leaks. The Guam Water Authority (GWA) and DoD are cooperatively working together to plan for the expected increase in population on Guam. DoD has agreed to drill the 22 new DoD water supply wells early, and provide this water to GWA, along with excess water from DoD's Fena Reservoir, to meet the near-term increase in water demand that is expected to occur off-base during the construction phase of the buildup. During this time, GWA will make improvements to their system to meet the long-term water needs of off-base communities. The net positive affect of this strategy is that DOD shoulders the cost to supply early buildup water demand, especially the demand associated with the temporary construction workforce.

Combining and integrating both the DoD and GWA water systems would be a major undertaking that is beyond the scope of the EIS. Also, it would cause DoD to lose control of their water systems to GWA, whose performance to date has not been exactly exemplary as they are under a stipulated order from EPA. At this point in time, DoD certainly plans on cooperating with GWA and assisting them to the full legal extent of their capability, but would not concur to combine the two water systems. Interconnects would be planned to permit water sharing back and forth as agreed upon.

K-052-042

Volume 6 and Volume 9, Appendix K of the Draft Environment Impact Statement (DEIS) contains many inconsistencies, conflicting data and wrong assumptions that make assessing the impact of the activity proposed by the Department of Defense (DOD) with regards to solid waste management impossible to analyze. In fact the cost data used to drive the decision of the preferred alternative appears suspect which could possibly rearrange the ranking what options are preferred or most feasible.

Without a clear and clean analysis of the current and additional solid waste to be collected and disposed by the military, it is not possible to truly assess and analyze the environmental impact to our island. In support of the aforementioned comments the following questions and analysis of the DEIS are presented for response from the Joint Guam Program Office and the Naval Facilities Engineering Command, Pacific:

Location of information: Volume 6, Section 2.4.1 Anticipated Demand (page 2-90), Table 2.4.1 Projected Solid Waste Estimates (tons).

Q: The explanation of Table 2.4.1 contains the language "The table lists annual tonnages of solid waste resulting from the increased population." For clarification purposes, is this table representing that the tonnage listed is IN ADDITION TO or inclusive of the existing solid waste stream produced by the military on Guam?

Location of information: Volume 6, Section 2.4.1 Anticipated Demand (page 2-90), Table 2.4.1 Projected Solid Waste Estimates (tons) and Guam Solid Waste Utility Study for Proposed USMC Relocation. Assuming that the label "DOD Baseline and DOD Non project-related" tonnage is the existing solid waste stream of the AAFB landfill and Navy Dump, the figures estimated are well below the data reported to the Guam Environmental Protection Agency by the military.

Table 2.4.1 Projected Solid Waste Estimates (tons)

On Base	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	Totals (tons)
DEIS Estimate											
DOD Baseline and DOD Non project-related	25,249	25,249	25,730	25,851	26,040	26,220	26,220	26,220	26,220	27,207	260,205

Actual Solid Waste Data (tons)

POLLUTION PREVENTION NON-HAZARDOUS SOLID WASTE MEASURE OF MERIT REPORT				
GEPA	2006	2007	2008	2009
AAFB	5,820	8,885	14,952	14,517
NAVY DUMP*	178,827	79,177	65,998	150,569
DOD Baseline and DOD Non project-related Total	184,647	88,062	80,950	165,086

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**K-052-040**

Thank you for your comment. The Navy acknowledges there is potential for marine resources and aquifers to be affected by sea level rise, inundations from more extreme storm events and other consequences of climate change. The impacts may be both adverse and beneficial. The current level of scientific knowledge can predict trends in sea level rise based on historic data but there are no established methods for assessing and quantifying potential impacts on marine resources or aquifers.

The University of Guam provides analysis of the aquifer responses to sea level change and recharge in a November 2007 study. Climate change may impact the success of production wells in the future (e.g., the placement of the well screen may not be optimal if the sea level rises or falls). Given the uncertainty of climate models including lack of information that is directly applicable to northern Guam and lack of specificity regarding the time and degree of impacts to conditions that could impact the aquifer, the DoD wells would be installed based on current conditions and regulatory requirements. Monitoring would be conducted during well operation. If production or water quality declines over time, DoD would take actions to mitigate the impacted wells.

**K-052-041**

Thank you for your comments. More detailed impact analysis is presented in Volumes 2 through 6. Potentially significant impacts to wastewater (including reefs) were identified under the marine resources section in each volume. For the Marine Corps relocation, the impact analysis is presented in Volume 2, Chapter 11. The impact analysis was based on best available information provided through review of written plans, and interviews with commercial recreation business managers and the Fisherman's CO-OP. The type of information collected was largely qualitative; therefore, the impact analysis was also qualitative. Mitigation for reef impacts Guam-wide proposed included preparation

K-052-042

\*Converted from cubic yards using DEIS 1,200 lbs/yd<sup>3</sup> assumption.  
 Table does not include waste diverted from recycling or composting

Q: Why is the baseline data used in the DEIS developed by HDR/Hawaii Pacific Engineers so much lower than the reports from the Air Force and the Navy to the Guam Environmental Protection Agency (GEPA)? Will the baseline projections for Guam be recalculated using actual data reported to GEPA? Can the Marine relocation post-buildup solid waste projections be recalculated using actual data reported on Okinawa?

Location of information: Volume 9, Appendix K, page 1190, COST ESTIMATING AND ECONOMIC ASSUMPTIONS, ALTERNATIVE 2: GovGuam Landfill Operational in 2010. The cost estimates performed DOD solid waste alternative on Guam used a tipping fee assumption of \$95/ton. In a letter dated January 28, 2010, the Guam Solid Waste Receiver, Gershman, Brickner & Bratton, Inc. (GBB) wrote "All of our discussions with the parties involved contemplate that the Military will pay the same rates for use of the new landfill as other customers pay." The table below represents the interim Commercial Tipping fees recommended by GBB and approved by the court.

Interim Commercial Tipping Fees	
Effective Date	Rate/ton
Previous fee	\$ 72.60
July 1, 2009	\$ 100.00
January 1, 2010	\$ 128.00
July 1, 2010	\$ 156.00

The interim rates are \$61.00/ton more than the assumption made in the DEIS.

Q: Will the DEIS COST ESTIMATING AND ECONOMIC ASSUMPTIONS be updated to include the \$156.00/ton tipping fee?

Will the DOD agree in writing to pay the same per ton tipping fee rates as commercial haulers for use of the Layon Landfill?

Location of information: Volume 4. No solid waste disposal estimates were reported in quantity from the aircraft carrier berthing.

Q: Will the actual solid waste disposal of aircraft carrier berthing activity transferring to Guam be reported in detail for review and analysis, and will the solid waste be transported to Layon once Orote closes?

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and implementation of a Recreational Carrying Capacity Management Plan that addresses recreational user use, demand, preference, conflicts, and conditions. Other mitigation includes education of workers, and military personnel and their dependents on natural resources. Ultimately, it will be the GovGuam's responsibility to manage the off-base coastal resources. The federal government would work with GovGuam to obtain grants to assist in this responsibility.

In Volume 7 of the Draft EIS, there was an error in the summary of impacts. The Final EIS is corrected to identify a significant and mitigable impact to marine resources, including reefs, during construction and operation of the proposed action. This includes mitigations related to stormwater runoff and infiltration during construction and operation of the base, measures related to upgrades to the Northern District Wastewater Treatment Plant, and mitigations related to dredging of the aircraft carrier turning basin. All of these mitigations in consort will work towards protecting marine resources, including coral reefs. These are further discussed in unison in Volume 7 of the FEIS.

DoD acknowledges there is potential for marine resources and aquifers to be affected by sea level rise, inundations from more extreme storm events and other consequences of climate change. The impacts may be both adverse and beneficial. The current level of scientific knowledge can predict trends in sea level rise based on historic data but there are no established methods for assessing and quantifying potential impacts on marine resources. A quantitative assessment of the additive or cumulative impact of climate change on or from the proposed action and natural resource, including reefs is not practical.

Subsequent to issuing the DEIS, DoD and Guam Waterworks Authority (GWA) reached agreement in principle to establish a special private entity (SPE). This SPE would obtain a loan arranged by DoD to upgrade the primary treatment system at the North District Wastewater Treatment

K-052-042

Location of information: Volume 2, Chapter 17, page 17-41. "It is estimated that this activity would result in an increase to the Guam hazardous waste disposal rate of 50% of the known Okinawa rate, or approximately 322,000 lbs (146,057 kg) annually (DRMO Okinawa 2007)."

K-052-043

Q: What is the basis or rationale behind the assumption that the Marine relocation will only increase Guam's hazardous waste disposal rate of 50% of the Okinawa rate? If the assumption is based on actual waste disposal of Marine activity transferring to Guam then can the detail information of what types of hazardous waste, quantities related to what activity is be released for review and analysis?

Location of information: Volume 2, Chapter 17, pages 17-38 and 17-39. Table 17.2-2. Annual Marine DRMO Okinawa Waste Disposal Quantities. The DEIS assumes 50% of total hazardous waste disposal by Marines in Okinawa reported in Table 17.2-2.

Q: Are the reported codes in Table 17.2-2 assumed to transfer the same quantities (in lbs.) to Guam in the same proportional amounts?

Location of information: Volume 2, Chapter 17, pages 17-38 and 17-39. Table 17.2-2. Annual Marine DRMO Okinawa Waste Disposal Quantities. The following hazardous waste material codes D001, D007, D008 & D008 represent 30.4% (205,011 lbs.) of the total amount of hazardous waste disposed of on Okinawa by the Marines. The codes represent: Ignitable Waste, Chromium (Cr), Lead (Pb) and Benzene.

Q: Of this material being disposed, what are the actual products that contain the hazardous material? For example: Paint, batteries, ammunition, etc. Of this material being disposed, what are the quantities of actual products that contain the hazardous material? For example: 5,000 gallons of Paint, 68,000 batteries, 500,000 rounds of ammunition, etc.

Location of information: Volume 2, Chapter 17, pages 17-13 and 17-14, Table 17.1-2. Annual DOD DRMO Guam Hazardous Waste Disposal Quantities; pages 17-38 and 17-39, Table 17.2-2. Annual Marine DRMO Okinawa Waste Disposal Quantities. Compared to the hazardous waste disposal statistics for Guam presented in Table 17.1-2, Annual DOD DRMO Guam Hazardous Waste Disposal Quantities, the 205,011 lbs. of hazardous waste material codes D001, D007, D008 & D018 of annual waste in Okinawa is much more than the same codes being disposed of on Guam.

Q: Are there enough resources on Guam to handle significant increases in the disposal volume of Ignitable Waste, Chromium (Cr), Lead (Pb) and Benzene? What are the military incident rates of hazardous waste material of Ignitable Waste, Chromium (Cr), Lead (Pb) and Benzene on Guam? What are the military incident rates of hazardous waste material of Ignitable Waste, Chromium (Cr), Lead (Pb) and Benzene on Okinawa?

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Plant (NDWWTP). The SPE would also operate the plant and pay back the loan with user fees. The DoD would pay user fees established by a customer service agreement with GWA that would enable the SPE to repay 100% of the loan with the fees collected from DoD, so 100% of the primary upgrades to the plant would be paid for by DoD. This is explained in the final EIS.

GWA disagrees with EPA that secondary upgrades are needed at the NDWWTP, so the decision to upgrade the plant is pending. In the event that future upgrades to add secondary treatment are required by EPA, then DoD will pay its fair share of these upgrades based on the percentage of flow that it contributes to the plant, which is currently estimated at 33%. This action alone will assist GWA in meeting its coastal water quality standards, providing benefit to the sea life and people of Guam. This is explained in the FEIS.

#### K-052-042

Thank you for your comment. DoD has prepared the Guam Solid Waste Utility Study that looks at the existing and projected solid waste volumes generated from the future Marine Corp buildup. Estimates for this Utility Study were developed using Marine Corps Base (MCB) Hawaii, Kaneohe Bay (KB) solid waste characterization analysis. Solid waste generation activities for military installation on Guam and MCB Hawaii-KB are similar. Both military installations have similar facilities including maintenance shops, administrative offices, commissary and exchange facilities, fast-food establishments, club operations, family housing and unaccompanied personnel housing. The results of the solid waste characterization study will be incorporated into the FEIS.

The Navy is preparing a Recycling and Solid Waste Diversion Study for DoD Bases, Guam that has established a diversion goal of 50 percent, not including construction and demolition debris. The Study is

K-052-043

Location of information: Volume 2, Chapter 17, pages 17-38 and 17-39. Table 17.2-2. Annual Marine DRMO Okinawa Waste Disposal Quantities. The following hazardous waste material codes D006 and D008 represent 25.5% (171,473 lbs.) of the total amount of hazardous waste disposed of on Okinawa by the Marines. The codes represent: Cadmium (Cd) and Lead (Pb).

Q: Of this material being disposed, what are the actual products that contain the hazardous material? For example: Paint, batteries, ammunition, etc. Of this material being disposed, what are the quantities of actual products that contain the hazardous material? For example: 5,000 gallons of Paint, 68,000 batteries, 500,000 rounds of ammunition, etc.

Location of information: Volume 2, Chapter 17, pages 17-13 and 17-14, Table 17.1-2. Annual DOD DRMO Guam Hazardous Waste Disposal Quantities; pages 17-38 and 17-39, Table 17.2-2. Annual Marine DRMO Okinawa Waste Disposal Quantities. Compared to the hazardous waste disposal statistics for Guam presented in Table 17.1-2, Annual DOD DRMO Guam Hazardous Waste Disposal Quantities, the 205,011 lbs. of hazardous waste material code D006 of annual waste in Okinawa is much more than the same code being disposed of on Guam.

Q: Are there enough resources on Guam to handle significant increases in the disposal volume of Cadmium (Cd)? What are the military incident rates of hazardous waste material Cadmium on Guam? What are the military incident rates of hazardous waste material Cadmium on Okinawa?

Location of information: Volume 2, Chapter 17, pages 17-8. "Numerous fueling operations to support aircraft, vehicle operation, and emergency power generation are performed at Andersen AFB. The majority of fuel handled at Andersen AFB is aviation fuel. The base currently has the capacity to store 66,000,000 gallons of aviation fuel (Andersen AFB 2005)."

Q: What is the total number of gallons of fuel types used annually on Anderson AFB?  
Aviation:  
Vehicle Operation:  
Emergency Power Generation:

What are the estimated annual increases due to the Military Buildup in total number of gallons of fuel types on Anderson AFB?  
Aviation:  
Vehicle Operation:  
Emergency Power Generation:

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considering the following alternatives: 1) DoD would construct two refuse transfer facilities, one in northern Guam and one in Southern Guam; 2) DoD would implement a source separation recycling program at all facilities; 3) DoD would construct recycling center(s); and 4) DoD would construct a materials resource recovery facility.

The DoD has also prepared a Construction and Demolition (C&D) Debris Reuse and Diversion Study which addresses the anticipated waste streams during the demolition of old buildings and construction of new facilities identified in the EIS. The study also addresses green waste that will be generated from clearing many acres of vegetation. The goal of the study is to divert 50% of the C&D debris by the end of fiscal year 2015.

The non-DoD project solid waste volumes will be handled in accordance with the existing Guam Integrated Solid Waste Management Plan (ISWMP). GBB is expediting the closure of Ordot and the opening of Layon in the most expeditious manner possible.

DoD is in the process of updating the military Integrated Solid Waste Management Plan (ISWMP) to reflect how waste will be managed now and in the future. The updated DoD ISWMP will include any new information from studies and reports that have been conducted as part of the NEPA process.

#### K-052-043

Thank you for your comment. The estimate of 50% hazardous waste disposal rate of Marine activity potentially transferring to Guam is based upon actual disposal data obtained from the Okinawa DRMO database (summarized in Volume 2, chapter 17, Table 17.2-2). However, since the Okinawa DRMO database does not track the disposal volumes of each Marine unit separately (i.e., those specific units that could potentially be transferred to Guam), but rather as a whole, it was

K-052-043

Location of information:  
<http://yosemite.epa.gov/R9/SFUND/R9SFDOCW.NSF/3dec8ba3252368428825742600743733/79f6272e2a8d855988257007005e9449?OpenDocument>. U.S. EPA superfund reporting about Anderson Air Force Base (AAFB) documents areas of contamination and wildlife refuges on AAFB which are not useable for drilling of groundwater wells.

Q: Is the reason that the military relocation of activities to Guam cannot be contained to existing military land, most notably AAFB, because the activities will present groundwater contamination risk to remaining areas on AAFB where the military proposes to drill up to 22 new water wells?

Location of information: Volume 2, Chapter 17, pages 17-43. "Hazardous Waste. Proposed construction activities would result in an increase in the use of hazardous waste. Construction activities are anticipated to increase the use of adhesives, lubricants, corrosive liquids, and aerosols. It is estimated that this construction activity would result in an increase to the Guam hazardous waste disposal rate of 10% of the known Okinawa rate, or approximately 64,400 lbs. (29,211 kg) annually (DRMO Okinawa 2009)."

Q: What are the underlying facts and data that support the conclusion made that construction activity on Guam related to the military relocation, estimated at \$13 billion, will equal 10% of the known Okinawa hazardous waste disposal rate? What has been the total amount of Military Construction on Okinawa each year for the last five years? Will winning bidders for military construction on Guam be required to reserve a portion of their award or secure insurance for potential hazardous waste incident remediation? If winning bidders are not required to reserve or obtain insurance, who will be responsible to ensure that any hazardous waste incident remediation related to construction is properly funded?

#### **ECONOMY, FINANCE, AND TAXES**

K-052-044

With respect to the Socioeconomic Impact Assessment Study (SAIS) and the entire Draft Environment Impact Statement (DEIS) there are many inconsistencies and omissions of data that make assessing the impact of the activity proposed by the Department of Defense (DOD) to the tax payers of Guam unquantifiable.

Without a proper and accurate analysis of how much additional revenue will be collected by the government of Guam, it is not possible to truly assess and analyze the economic impact to Guam. In support of the aforementioned comments the following questions and analysis of the DEIS are presented for response from the Joint Guam Program Office and the Naval Facilities Engineering Command, Pacific:

Location of information: Volume 9, Appendix F, Section 4.3.3 Estimated Local Government Revenues (pages 4-24 to 4-33).

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apparent that only a fraction of the total Okinawa DRMO database volume would appropriate to use as a potential impact for this EIS Report.

The fraction used (i.e., 50%) was derived following consultation with the Okinawa DRMO to estimate the fraction of the total waste volume that would be attributable to the potential transferring Marine units. The 50% number was used since it is believed to represent a conservatively high or worst case for waste volume that could potentially impact Guam via the specific Okinawa Marine unit transfers. Table 17.2-2 summarizes this Okinawa DRMO waste volume data and the quantities in Table 17.2-2 were assumed to approximate the proportional amounts that could potentially impact Guam, once the potential transfer occurred.

Regarding the various waste codes used to estimate the potential impacts to Guam, since the transferring Marine units are from Okinawa, it was logical to use the Okinawa DRMO waste codes and volumes to approximate their potential usage rates if transferred to Guam. The waste Tables in Volume 2, chapter 17 provide as much specific information regarding the various wastes types (e.g., paint, batteries, ammunition, solvents, etc.) as was discernable within the DRMO data bases.

Regarding whether there are enough resources on Guam to handle significant increase in the disposal of hazardous substances, there is a parallel ongoing Master Plan Document that provides specific details several new facilities (e.g., operations and maintenance facilities, bilge and oily wastewater pump station, fuel storage areas, POL storage areas, warehousing facilities, munitions magazine storage facilities, hazardous waste storage facilities, waste storage facilities, etc.). These new facilities will be required to store, handle, and dispose of the estimated increases in hazardous substances that would occur from the potential DoD units transfer to Guam.

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Q: There is no study or documentation of the financial model used to develop the estimated tax revenue in this section making it impossible to technically analyze the output. Can you please provide the model in electronic format (Microsoft Excel) and a hard copy?

Location of information: Volume 9, Appendix F, Table 4.3-40. Impact on Gross Island Product (GIP) - Constrained (page 4-33) and three tax revenue tables (constrained) on page 4-27. The estimated impact to GIP to the sum of all general tax revenue impact (GRT + Corporate Income Tax + Personal Income Tax) from the DEIS produces a ratio of general tax revenue as a percent of GIP that fluctuates from 42 to 49%.

Impact on Gross Island Product (GIP) (Thousands of 2008 \$) (Constrained)											
DEIS Estimate	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
Combined Total Impact	\$135,000	\$331,000	\$547,000	\$664,000	\$800,000	\$599,000	\$297,000	\$162,000	\$162,000	\$162,000	\$162,000

Impact on GRT & Income Tax Revenue (Thousands of 2008 \$) (Constrained)											
DEIS Estimate	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
Combined Direct Impact	\$50,505	\$124,702	\$206,266	\$250,769	\$312,932	\$233,482	\$120,454	\$69,915	\$69,915	\$69,915	\$69,915
Combined Indirect Impact	\$6,395	\$16,582	\$27,203	\$32,817	\$41,936	\$31,976	\$15,815	\$9,357	\$9,357	\$9,357	\$9,357
Combined Total Impact	\$57,100	\$141,283	\$233,469	\$283,586	\$354,868	\$265,458	\$136,269	\$79,272	\$79,272	\$79,272	\$79,272
As a % of Additional GIP Projection	42.30%	42.68%	42.68%	42.71%	44.36%	44.32%	45.38%	48.93%	48.93%	48.93%	48.93%

The following expenditure method of calculating GIP was used to determine a factually based ratio of general tax revenue as a percent of GIP for Guam.

GIP (Y) is a sum of Consumption (C), Investment (I), Government Spending (GG), (GGP), (FG), (FGP) and Net Exports (X - M).

$$Y = C + I + GG + GGP + FG + FGP + (X - M)$$

**Estimated Components of Guam GIP (Thousands of 2007 \$)**

\$2,688,477	Gross Receipts Less Government Expenditures	C - (GG + FG)
\$854,689	GOVGUAM Expenditures	GG
\$595,311	GOVGUAM Payroll	GGP
\$775,459	FEDERAL Expenditures (Local)	FG
\$332,000	FEDERAL Payroll (Local)	FGP
\$250,000	Private Investment	I
(\$137,851)	Trade (Exports - Imports)	X - M

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**K-052-044**

Thank you for your comment. Your comments did not detail the "many inconsistencies and omissions" of the SIAS so we are not able to address these issues. The SIAS does cover impacts to Guam based on the existing available information that was gathered, as well as interviews conducted with local agencies, business organizations, and individuals with specific expertise in economic activities. The summary of the interviews are provided in the SIAS. Section 4.3.3 of the SIAS provides information and discussion on the projected impacts the proposed action would have on government of Guam revenues. This section does not provide a complete accounting of all revenues sources; the section focuses on three major revenue sources: gross receipts tax (GRT), corporate income tax and personal income taxes. It is anticipated that more detailed information on tax revenues may be found in, the currently underway, Fiscal Impact Assessment (FIA); the FIA is funded by DoD's Office of Economic Adjustment through the office of the Governor.

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\$5,358,085	Gross Island Product (GIP)	Y
\$547,912	2007 General Tax Revenue	GT
10.23%	As a percent of GIP	

Source

- C / 2007 Government of Guam Independent Auditor's Report Gross Receipts Tax (grossed up)
- GG / 2007 Government of Guam Independent Auditor's Report
- GGP / 2007 Government of Guam Independent Auditor's Report
- FG / Federal Transactions for Work Performed in Guam (GEDA & BSP)
- FGP / Federal Transactions for Work Performed in Guam (GEDA & BSP)
- I / Estimate \$250 million
- X - M / Guam Historical Trade Data, Import & Export Data 2001 - 2009, (BSP)
- GT / 2007 Government of Guam Independent Auditor's Report

Using current information available the ratio of general tax revenue to GIP is approximately 10.23% compared to the DEIS ratio of 42-49%. The variance of ratios is quite large. The estimates to the impact or benefit of general tax revenue in the DEIS may be vastly overstated based on this comparison.

Q: Can the group responsible for the DEIS calculations review and respond to this comparison and attribute for the large variance of ratio calculations?

Location of information: Volume 9, Appendix F, Page 4-24. "The analysis assumes GovGuam collects all tax revenues that it would be owed." There is no case documented today of any government in the world that collects 100% of tax revenue owed. Not including an adjustment for uncollectible and evaded taxes over inflates the positive impact of tax revenue collections estimates in the DEIS.

Q: What was the purpose of not including an assumption of an adjustment downward or allowance for uncollectible or evaded taxes in the estimates throughout Section 4.3.3?

Location of information: Volume 9, Appendix F, Table 4.3-34. Impact on Personal Income Tax Revenue (Thousands of 2008 \$s) (Constrained) on page 4-27.

The tax revenue growth from the islands economy post-buildup is primarily the income tax of active military that transfer from Okinawa and federal civilian employees supporting the DOD mission. This revenue, also called Section 30 revenue is quantifiable through aggregated military payroll registers of the positions that will transfer from Okinawa to Guam.

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Q: Do the post buildup tax revenue estimates in Section 4.3.3 of the DEIS include aggregated military payroll registers of the positions that will transfer from Okinawa to Guam? If yes, can that information/report be made available? If no, why was this information not used?

U.S. Code Annotated, Title 48, Section 1421 and IRS Publication 570, Chapter 1, page 3.

By statute, the U.S. Treasury is required to remit to the government of Guam the income taxes of compensation paid to retired civilians and military employees of the United States, or their survivors, who are residents of, or are domiciled in Guam.

Each year on Guam thousands of military personnel are temporarily assigned to duty on Guam for support, training exercises, or when aircraft carriers port. Due to requirement of treasury to remit income taxes, an interpretation was made to not to remit payment to Guam unless military personnel meet a "presence test." The main criterion of the presence test is to live on Guam for 183 days. This may be a practical way for the IRS and Federal government to deal with the administration of the income tax remittance to Guam but it does not address that fact that thousands of DOD employees are here using the services of the government of Guam such as roads, parks, beaches and other public services. Additional tax revenue is needed to provide necessary public services even more so with the large concentrated increase in population being proposed in the DEIS.

Q: Will the DOD support and lobby for a change of policy by the IRS to remit fractional equivalents of income tax for these temporary workers time spent on Guam?

If the DOD will not support and lobby for a policy change of the IRS, will the DOD make annual income tax discrepancy payments to the government of Guam to address the annual impact of these employees? An example of this concept is the Federal Employee Health Benefits Program (FEHBP) which contractually agrees to compensate health insurance companies 1.5% of premiums paid for "enrollment discrepancies".

Location of information: Volume 9, Appendix F, Section 3.4 Public Services. (pages 3-4 to 3-22)

In November 2008, the Department of Interior Office of the Inspector General (OIG) issued Report No. HI-EV-GUA-0002-2008 titled *Guam's Tax Collection Activities: Office of Insular Affairs Involvement Needed to Achieve Lasting Improvements*. In the report, the OIG confirms that the Department of Revenue and Taxation lacks funding, employees and adequate technology that prevent the realization of significant amounts of tax revenue.

Q: Why was the Department of Revenue and Taxation omitted from the SAIS analysis?

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Will the Naval Facilities Engineering Command Marianas (NAVFAC) and other military contracting offices working on the Okinawa to Guam relocation add steps into the contracting process flow to require sub-contractor payment reporting from vendors to the Department of Revenue and Taxation?

Location of information: Volume 9, Appendix F, Section 4.3.4.2 Unconstrained Analysis (page 4-28). The gross value of military contracts in the DEIS from 2010 to 2016 is \$12 billion. GAO has estimated that cost will be higher. In GAO report GAO-08-722T, a required investment of \$13 billion is estimated for the buildup split \$10 billion for military and \$3 billion for local infrastructure.

Q: Of the \$12 billion estimate in the SAIS, how much of that investment will be provided for local infrastructure projects?

Location of information: GAO report GAO-08-722T. In GAO report GAO-08-722T, the following information is documented:

*The government of Japan is also expected to provide another \$3.3 billion in loans and equity investments for installation support infrastructure, such as on base power and water systems, and military family housing. Most of this \$3.3 billion is expected over time to be recouped by Japan in the form of service charges paid by the U.S. government and in rents paid by American service members with their overseas housing allowance provided by DOD.*

Q: Will rents from overseas housing allowance that are paid to Japan be only from service members relocating from Okinawa? If yes, what percentage and amount (dollars) of the annual total existing housing allowance of this population will be paid to Japan? If no, what percentage and amount (dollars) of the current Guam service member annual total existing housing allowance will be paid to Japan?

Location of information: 2008 Government of Guam Single Audit Reports and Volume 9, Appendix F, Sections 3.4.2, Health and Human Services and 4.4.3, Public Health and Human Service Impact. The 2008 Government of Guam Single Audit Reports, the government of Guam agencies were allocated and spent approximately \$200 million Federal grant money in fiscal year 2008. Of that amount, \$38 million was provided primarily for Food Stamps, Medicaid and Programs for Seniors. The DEIS discusses current funding problems in Health and Human Services on the surface but does not determine the additional shortfalls resulting from the population increases that Guam will experience as because of the military relocation. The same description above can be applied to most if not all government of Guam agencies receiving Federal Grants and Aid.

Q: If current levels of Federal Grants and Aid to Guam are not increased in parallel with the military buildup, will the Department of Defense budget and provide funds to the

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government of Guam to close any Federal grant and aid funding gaps resulting from the military buildup?

Volume 9 Socioeconomic Impact Study page 1-2 (Introduction)

The Island of Guam should expect a significant increase in off-island construction workers to meet the construction needs of the proposed action. Thus, like other boomtowns, Guam can expect both a period of overall growing pains and a subsequent reduced level of activity thereafter, although that reduced level is anticipated to feature economic conditions substantially better than current conditions.

Comment: What type of study was made to determine that in fact economic conditions will be "substantially better than current conditions"? How can this statement be true when we know that there is a certain percent of laborers and workers who will stay on Guam after the "boom" and certainly this relates to high employment rate, increased social services? How can the DEIS make such a statement without any study to back it up.

Recommendation: I am afraid that these are misleading statements and until such time that it can be proven that our economic conditions will be better, the recommendation is *NOT* to put our island in a situation where we have to experience any "boom" and that bringing H2 construction workers should be NO ACTION.

Volume 9 Socioeconomic Impact Study, p 2-2

2.1.1.3 Identity and Characteristics of In-Migrant Workers and Dependents

These new workers would add to the population of Guam, as would their dependent numbers. Thus the following questions needed to be answered:

- What would be the identity and characteristics of these in-migrant workers?
- How many dependents would accompany each in-migrant?

Both these issues would be affected by where those workers would actually be migrating from. It was determined that the most likely in-migrants would be:

- Temporary foreign workers on common work visas who would likely not be accompanied by dependents at all
- Citizens from the nearby CNMI or FAS who would likely arrive on Guam with--or send for shortly thereafter--the remainder of their households that is relatively large

Comment: It has been said in numerous parts of the DEIS, besides this particular section that we will get an influx of CNMI, FAS citizens to Guam for better opportunities. I do not object that they come; I have many friends from FAS and they are dedicated, hard working people who only want what is best for their family; as we all do. This is why it is imperative that the Compact Impact monies as agreed between the United States and FAS must be increased as our population increases. They come in and out of Guam and the United States as their status gives them the freedom to do so. However, it is difficult

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to track because of this status. We can gauge it with the census and we know there will be an increase

Recommendation: Money must be adequately provided for the Government of Guam by paying Guam what is owed and increase the amount. Negotiations must begin immediately between FAS, Guam and the Department of Interior to ensure that we receive the amount necessary to survive under these "boom" conditions. Until such time that these negotiations prove beneficial to Guam, there should be NO ACTION.

Volume 9 Socioeconomic Impact Study Page 4-40

*Navy Specific Impact: Impacts on Hotels from Timing of Large-Scale Exercises*

"Large-scale military exercises" do not necessarily involve aircraft carriers but often do. The issue set forth by some industry representatives (Guam Chamber of Commerce 2008; Appendix D - GVB Interview) is that active-duty military personnel on Guam are exempt from hotel occupancy taxes and may also qualify for lower rates, displacing higher-paying tourists. The relative importance of this for the industry and for the GovGuam depends on the season. It is problematic in the peak tourist seasons but less so in the industry's "elbow" (off-peak) seasons, such as spring.

Comment: There is no equity here. Local statute will be changed and the Federal government must support and recognize that this practice can no longer continue. There is a definite loss in the Government of Guam coffers. This change in policy should extend to active-duty military personnel and their families and any contractor (and their families) on Guam to perform work with the military.

Recommendation: Until such time that there are laws changed and the Federal government recognizes and supports this change, there should be NO ACTION.

**Economic Impact – Adverse.**

**Statement of Problem:** Rapid decline in economic activity and adverse economic impact on government, private sector and personal income opportunities. This is expected to occur after the construction phase is completed (2015-16). This type of downturn or change has been characterized by some local economists as the "Boom Town" effect. After a short-term period of prosperity (5 to 7 years), how will the government, the private sector and the community be able to withstand and adjust to the new (diminished) economic climate and decline in earning potential for every resident of the island. Such an effect is accompanied by a recession-like atmosphere and many individuals and businesses will find themselves wanting. Will the business and government sector be in a position to provide relief strategy and assistance to those who are adversely affected by the economic recession?

**Areas of concern:** There are several areas of concern that can be attributed to the economic after shock, namely; controlled exit of H-2 and other temporary workers; long-

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term (unfunded) government debt incurred to accommodate the build-up; private sector investment not recouped in the construction phase of the build-up; allocation of public assistance (medical, food, shelter, etc.) to help stranded temporary workers and their families; excess capacity funded by Guam to accommodate build-up demand such as; infrastructure (above and below ground), housing, public safety and protection facilities, port and airport expansion, cargo and people transport system and or vehicles, schools, various equipment, materials and supplies.

**Mitigating action(s):** In order to minimize the aftermath of the build-up, attention must be given to planning, preparation and execution of mitigating programs for economic hardship. This investment must be borne by the federal and DOD authorities who are responsible for the forward movement of DOD interests. Financial assistance can be provided to the local government to underwrite the costs to Guam incurred specifically to support the build-up, out-reach planning, preparation and financial guidance seminars and training programs. The military must incorporate this concept in the DEIS and be prepared to fund such an initiative. Adequate coordination with the Chamber, the U.S. Small Business Administration office locally and the University of Guam business out-reach programs will strengthen the island's ability position to cope with the sudden shift to conditions described by many as an economic recession and recovery period for Guam.

#### **SOCIOECONOMIC IMPACTS**

In response to decreased opportunities for space and activity time due to increased population trying to access public recreational sites, the draft states: "To alleviate the potentially significant impact to recreational resources.....MCCS is proposing a wide range of QOL facilities at their Main Cantonment site.....to meet the recreational demands of the Marines, their dependents and guests."

Q: Why can't they incorporate or expand on the public recreation sites outside of the fence to improve the QOL for *everyone*?

VOLUME 2: MARINE CORPS – GUAM 16-95 Socioeconomics and General Services  
16.2.3.3 Public Service Impacts. Many public services offered by GovGuam would need to increase professional staff to service the new population. Most of these agencies would need to rapidly expand their services and staff during the 2013- 2014 peak (raising serious issues of availability of qualified workers), then cut back them back as construction ends. For public education services, the GPSS, GCC, and UOG together would need to hire a combined 490 teachers/faculty for the year 2014, falling to a combined 135 after construction ends. For health and human services, this chapter considered impacts on various aspects of the GMHA, the GDPHSS, the GDMHSA, and the GDISID. These agencies would need a combined 192 new key professional workers by 2014, dropping to a combined 52 a few years later. Public safety agencies – Police, Fire, Corrections, and Youth Affairs – would require a combined 249 key professionals in 2014, falling to a combined 99 a few years later. Other selected general service

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agencies – Parks and Recreation, Libraries, and the Judiciary – would require a combined 46 key professionals in 2014, falling to a combined 22 after construction ends.

Comment: There are mitigations measures identified to address these staggering numbers that will significantly impact the Government of Guam. First, currently there is a shortage for many of these areas and difficult to recruit for a myriad of reasons, particularly the location and pay scale. Although the mitigation measures identified are achievable, it will not fully address the issue at hand. Guam is recognized as underserved and falls under the DPHHS National Health Service for medical professionals. DOD must support, encourage and provide funding for this program for Guam. This will address the temporary need for medical professionals during the anticipated high in 2014.

Teach for America Program must be expanded for Guam. This will assist in the recruiting of teachers that is necessary during the high, 2014. The way the program is set up is that each state must find the funds to pay for these teachers. DOD must support, encourage and provide the funding for this program for Guam.

Recommendation: These mitigation measures must be put in place immediately. If not, then there should be NO ACTION.

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#### PUBLIC SAFETY & CRIME

VOLUME 2: MARINE CORPS – GUAM 16-87 Socioeconomics and General Services Page 16-87. Increase in Overall Crime: It appears that the military operational component would have little impact on overall crime rates. This is determined with access to limited data, evidence that crime rates for U.S. military in Okinawa are low, and limited statistics on individual branches of the armed forces are available. Quantitative military data on criminal arrests of Marine Corps personnel or for any branch of the armed services are limited to information on overseas Status of Forces Agreement (SOFA) personnel. The Guam Police Department does not gather specific data on military charged with crimes, and neither the DOD nor Marine Corps websites offer data. Thus the best reliable predictor for an increase in overall crime on Guam once the Marine Corps personnel are relocated is provided by the information on arrests of SOFA personnel while on Okinawa.

Increase in crime by the military dependents on Guam may also be a possible impact. Guam has experienced rising juvenile drug abuse arrests (from seven to 117 between 2002 and 2006) and other assaults from 39 to 160 between 2002 and 2006) (Guam Police Department 2008, Guam Judiciary 2008, Republic of Korea Drop 2008). Dependents of SOFA personnel on Okinawa do contribute to the overall crime statistic. Of the 46 arrests in 2007, 30 were active-duty service members; one was a civilian employee; and 15 were dependents. In 2006, arrests involved 38 service members, three civilians, and 22 dependents arrested. These arrests included 23 minors.

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#### **K-052-045**

Thank you for your comment. There are many reasons why the Marines (about half) are being moved from Okinawa. This discussion is provided in section 3.5.2 of the Socioeconomic Impact Assessment Study (SIAS) that is Appendix F, Volume 9 of the EIS. Serious crimes by military personnel in Okinawa are committed at lower rate than the overall civilian population in Okinawa, despite reports to the contrary. Many serious crimes are based on singular incidents that are reported multiple times so that it appears to be multiple incidents.

The impacts of crimes on Guam are discussed in Volume 2 of the Final EIS. As noted in the SIAS: "A critical distinction when analyzing crime impacts is between the total numbers of crimes ("volume of crime") and the actual crime rate (numbers divided by population). Population increases always bring with them increases in the volume of crime, but the crime rate would increase only if new populations are disproportionately likely to commit crimes."

The DoD acknowledges that any increase in population, such as the one that these proposed actions would cause, may be accompanied by an increase in overall crime and social disorder. The DoD also acknowledges that widely publicized instances of military crime in Okinawa cause Guam residents to be concerned about possible repercussions on the island brought about by the increase in military population on Guam. The increase in population during the construction phase of the build up is recognized as a time for concern for increases in incidents of crime. Moreover, it is also acknowledged that the age group of many military personnel is often characterized as prone to conflicts and misbehavior. DoD educates its service men and woman on good behavior and will act promptly and rigorously to curtail any misconduct and enforce laws to protect the citizens of Guam and our military personnel.

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Comment: It is unfortunate that assumptions are made without any quantitative data. It is crucial that data be collected to truly evaluate the impact of the military buildup. If we base the crimes committed from SOFA, it is certain that crimes will increase. With an increase of population, there will be an increase in crime. It is not enough that we partner up with local public safety departments to do regular shore patrol or assume that the crimes will be committed by FSM in-migrants. What must happen is an agreement that DOD will assist local public safety departments with the funding necessary to track these crimes. Additionally, if a military personnel and/or their dependent(s) commit crimes outside the fence that they go through the local judicial system. Funding should also be provided to the local judicial system to adequately address these issues in a timely manner.

Recommendation: DOD must support, encourage and provide the funding needed to address these crimes. The increase of in-migrants (whether they are from FSM or other territory or CONUS) is a direct result of the military buildup. Therefore, DOD should provide the funding necessary. If this is not addressed, it is recommended NO ACTION be taken.

VOLUME 2: MARINE CORPS – GUAM 16-87 Socioeconomics and General Services Page 16-88. Increase in Sexual Assaults: In 2006, Guam Police Department recorded 141 arrests for forcible rape and seven arrests for sex offenses (Guam Police Department 2008). As noted previously, the Guam Police Department does not gather specific data on military charged with crimes. Thus, quantitative data on sexual assault arrests of Marine Corps personnel or for any branch of the armed services are limited to information on overseas SOFA personnel. This data conveys the impression that the impact of sexual assaults by any branch of the military would not be significant. That conclusion, however, should be viewed with some caution, as detailed information on Marines is lacking.

Comment: Conclusions and statements are made based on the lack of any quantitative information. These are scary statements made because it says to me that because there is a lack of information, we can make assumptions that are wrong. Because of the lack of quantitative data, we must be pro-active and begin to document data and address the crimes immediately and timely. Action plans must be created to address these crimes accordingly. If all the data we have is from Okinawa, it is a benchmark to begin the process of how to address these crimes.

Recommendation: Funding must be provided to the local public safety departments to support collection of this data and to develop action plans and procedures to address these crimes. DOD must work together with our public safety departments in collecting data; offenses made inside and outside the fence. If there are military personnel and/or dependents that have committed a crime of sexual conduct inside the base, these people

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As documented in this EIS, DoD acknowledges the existing sub-standard conditions of key public infrastructure systems and social services on Guam and the interest to have DoD fund improvements to these systems and services. DoD's ability to fund actions is limited by Federal law. However, to minimize adverse impacts associated with the proposed military relocation program, DoD is leading a federal inter-agency effort to identify other Federal programs and funding sources that could benefit the people of Guam.

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should not be allowed to go outside the fence. Last year, it was discovered that there may be a possibility that military personnel and/or their sponsored dependents be stationed in Guam. DOD must ensure that this policy does not extend to Guam and that they NOT be stationed on Guam. If any of these recommendations are not adhered to immediately, the recommendation is that NO ACTION will be taken.

K-052-046

The following questions and analysis of the DEIS are presented for response from the Joint Guam Program Office and the Naval Facilities Engineering Command, Pacific:

Location of information: Volume 2, Chapter 18, page 18.2, Table 18.1-1. Class A Flight Mishaps. Statistics are provided in Table 18.1-1 about Class A Flight Mishaps. Without knowing the actual statistics of flight hours by Aircraft Type, it is impossible to understand, analyze and comment on the effect of this activity on Public Safety.

Q: How many hours of the Aircraft Types listed in Table 18.1-1 currently fly on Guam?

CH-53  
MV-22  
AH-1  
UH-1

How many hours of the Aircraft Types listed in Table 18.1-1 currently fly on Okinawa?

CH-53  
MV-22  
AH-1  
UH-1

How many of the hours of the Aircraft Types listed in Table 18.1-1 currently flying on Okinawa will shift to Guam as part of the relocation activity?

CH-53  
MV-22  
AH-1  
UH-1

K-052-047

Location of information: Volume 9 Appendix K, Table 2.3.1. Drivers for Deriving Numbers of Permits from Proposed Action (Unconstrained), Page 2-14 and Table 4.4.55. Impact on GPD Service Population (Unconstrained). Using the Population without project data from Table 2.3.1 and combining it with the Combined Total Impact data from Table 4.4-55, the combined increase in population is higher than the total used to determine staffing levels impact based on population.

Population Estimates from SAIS (Unconstrained)

	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
Table 2.3.1-Population without project	180,692	183,081	185,435	187,754	190,042	192,302	194,541	196,757	198,942	201,095	203,216
Table 4.4-55 Combined Total Impact (related to project)	11,038	27,835	44,301	52,575	79,178	64,918	41,919	33,431	33,431	33,608	33,608

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**K-052-046**

Thank you for your comment. The number of flight hours for aircraft accompanying the military personnel relocating to Guam from Okinawa was considered during the analysis of potential health and safety impacts from aviation operations. A total of 25 aircraft (four CH-35; twelve MV-22; six AH-1; and three UH-1) and 50 aircrews would be assigned to Guam from Okinawa. The number of annual training sorties for the aircraft is presented in Vol. 2, Tables 2.3-4 and 2.3-5. Based on the estimated annual training operations presented in Table 2.3-5, the annual hours of operations for the aircraft are approximately 224 hrs for CH-53; 216 hrs for MV-22; 108 hrs for AH-1, and 36 hrs for UH-1. The primary aircraft currently and planned to be operating from Andersen AFB include bomber, tanker, fighter, and unmanned aerial vehicle (UAV) aircraft. The Class A annual average mishap rate for Navy and Marine Corps aviation operations between 2002 and 2008 discussed in Vol. 2, Section 18 was 1.54 based on 7,122,489 total flying hours.

**K-052-047**

Thank you for your comment. The SIAS provides discussion on the police services needed using the existing baseline conditions/ratios. Table 4.4-55 of the SIAS shows the expected increase in GPD service population as a result of the proposed action. GPD's service population is estimated to include 100% of additional population related to the proposed action (which is equal to the combined total impact data you provide in your comment). Combining the two lines in your table sums the total, projected, population of Guam which would include non-project related population that is not included in estimates of impacts. DoD recognizes that the proposed military buildup would generate revenue to the government of Guam. The increase in population during the construction and operational periods will occur.

In the Socioeconomic Impact Assessment Study (SIAS), found in Appendix F of Volume 9 in the DEIS, the number of off-island H2B visa

K-052-047  
Total

191,730 210,916 229,736 240,329 269,220 257,220 236,460 230,188 232,373 234,703 236,824

Q: What was the reason for not using the organic growth of Guam's population in the DEIS analysis to determine adequate staffing for Government services? Do the estimated population calculations in the SAIS include any fractional figures based on military personnel here from aircraft carriers and other short term assignments such as training or aircraft maintenance?

Location of information: Volume 2, Chapter 18 Section 18.1.9, page 18.11.  
<http://www.theiacp.org/LinkClick.aspx?fileticket=LF7xdW1tPk%3D&tabid=87>. The Bureau of Justice Statistics (BJS), within the Office of Justice Programs (OJP), within the United States Department of Justice (DOJ) produced the following statistics for full time sworn personnel:

The Guam Police Department sworn personnel per 1000 residents ratio is 1.78. Hawaii's sworn personnel per 1000 residents ratio is 2.0.

Population Served	*FT Officers Per 1,000 Residents	Population Served	*FT Officers Per 1,000 Residents
250,000 or more	2.5	10,000 to 24,999	2.0
100,000 to 249,999	1.9	2,500 to 9,999	2.2
50,000 to 99,999	1.8	1,000 to 2,499	2.6
25,000 to 49,999	1.8	All Sizes	2.5

Guam is currently staffed below the national average for Officers per thousand and further below the state of Hawaii. Combining the Organic population growth and the growth from the buildup, the Guam Police Department will need approximately 512 officers from the peak to achieve a 1.9 Officers per 1000 residents ratio.

Q: Which of the following staffing levels does DOD prefer and why: 1.78 Officers per 1000 (450 at peak) or 1.9 Officers per 1000 (512 at peak)?

The following table represents employee ratios based on standards used in the United States. If Guam were to maintain national standard levels of employment based on populations served, the Guam Fire Department, Guam Police Department and Department of Corrections required levels are all under reported in the DEIS.

	GFD	GPD	DOC	DYA
<b>Status Quo Ratio</b>				
MAX Required	280	480	242	112
STEADY Required	260	441	204	99
<b>National Standard Ratios</b>				
MAX Required	422	512	290	

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foreign laborers was estimated. Two scenarios were reviewed: the maximal number (unconstrained) and a constrained scenario. In Section 4.4 of the SIAS, there is detailed discussion and analysis of impacts to public services; some of the public services would be impacted by temporary workers and some would not. The Navy would require contractors who work on DoD projects to provide healthcare for their employees, including off-island/H2B workers. A small percentage may seek health and/or social services provided by Guam. However, workers would also contribute to the Government of Guam revenues in form of personal income and gross receipts taxes; corporations would pay corporate income taxes (See section 4.3.3, page 4-24 of the SIAS). The additional money would flow into Guam's revenues and, depending on executive and legislative branches decisions, could be used to provide for additional public health and social services.

Relating to the population figure of about 80,000 people; it should be noted the figure represents a maximal figure when most of the construction workers are still on Guam and the military populations arrive (2014); once construction is completed, the operational population would be about 33,400 (2016) (see the SIAS, Table ES-1, on page iii). Mitigation measures (as appropriate) to address the significant impacts will be discussed in the Final EIS.

As documented in this EIS, DoD acknowledges the existing sub-standard conditions of key public infrastructure systems and social services on Guam and the interest to have DoD fund improvements to these systems and services. DoD's ability to fund actions is limited by Federal law. However, to minimize adverse impacts associated with the proposed military relocation program, DoD is leading a federal inter-agency effort to identify other Federal programs and funding sources that could benefit the people of Guam.

K-052-048	STEADY Required	391	470	244	
	DEIS Ratios				
	MAX Required	267	450	242	112
	STEADY Required	202	369	204	99

Q: Does the DOD support staffing the Guam Police Department, Guam Fire Department and Department of Corrections using national standard ratios for populations served? Will the DOD make annual payments to the government of Guam to account for increase in operational costs due to the direct increase in population related to the military buildup for the Guam Police Department, Guam Fire Department, Department of Corrections and Department of Youth Affairs?

Required =1.9 officers / 000 residents for GPD	The Bureau of Justice Statistics (BJS), within the Office of Justice Programs (OJP), within the United States Department of Justice (DOJ)
Required =1.65 firefighters / 000 residents for GPD	International Association of Fire Chiefs
Required =4.6 inmates / employee for DOC	The Bureau of Justice Statistics (BJS), within the Office of Justice Programs (OJP), within the United States Department of Justice (DOJ)
Required =15 inmates / employee for DYA	Varying numbers by state between 1 employee per 15-30 youth

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**18.1.2.2 Bird Strike Hazards.** "Bird strikes constitute a safety concern because of the potential for damage to aircraft, injury to aircrews, or impacts to local populations if an aircraft strike and subsequent aircraft accident should occur in a populated area".  
Comment: Guam land mass is habited by almost more of a percentage than what is enough by population and land mass.

**18.1.2.3 Explosives Safety.** "Explosive Safety Quantity Distance (ESQDs) arcs determine the distance between ordnance storage and handling facilities and inhabitable areas".

Q. Has the DOD already performed reconnaissance in areas that the Draft Environmental Impact Statement outlines as areas for ammunition storage area in Northern and Southern parts of Guam? Being that Guam's Southern villages are habited near ocean shores and natural resources are inner part of the island does fresh water, endangered species preservations count as habited area?

**18.1.2.4 Electromagnetic Emissions.** "Radar and other high-energy clectromagnetic emissions can constitute a hazard to persons exposed to radiation above a threshold power density".

Q. Has the DOD surveyed the potential amount of persons with radioactive hazards? (Ex. Veterans, Elderly, Children)

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**K-052-048**

Thank you for your comments.

Relating to bird strikes; the increase in aircraft operations is not anticipated to significantly increase the flight mishap rate and AICUZ (Air Installation Compatible Use Zone) land use restrictions would remain in place to limit public exposure to aircraft mishaps. Aircrews operating on Guam would be required to follow applicable procedures outlined in the BASH (Bird Airstrike Hazard) plan. When risk increases, limits would be placed on low altitude flight and some types of training. Based on the current 8-year average of three bird aircraft strikes per year on Guam, the increase in aircraft operations is estimated to result in one additional incident for a total of four annual bird aircraft strikes. Relating to explosive arcs; facility planning for ammunition storage and establishing ESQD (Explosive Safety Quantity-Distance) arcs would occur to ensure the safety of the public. The ESQD arcs restrict the construction of inhabited buildings and other non-munitions related activities near munitions storage areas.

Regarding the electromagnetic emissions; radiofrequency energy (RFE) emission sources are evaluated to determine relevant primary exposure limits to protect health and safety. Two types of exposure limits are considered: 1) occupational/controlled exposure limits in which persons are exposed as a consequence of their employment and are aware of the possible exposure, and 2) general population/uncontrolled exposures in which the general public may be exposed and are not aware of their potential exposure. Specific populations are not surveyed for RFE hazards.

Regarding explosive safety; live-fire weapons ranges are proposed for the eastern shore of Guam. An indoor firing range is proposed within the Main Cantonment on the northern portion of Guam. Most live-fire training exercises would occur during daylight hours. To ensure the safety of the

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**18.2.2 Alternative 1** (Page 18-14) **Explosive Safety.** "No impact related to explosives safety *are anticipated.*" Comment: The United States Military should assure the People of Guam that if there is anticipation at any rate of hazard the mission should be reanalyzed and alternatives to handling these explosives calculated. If the military is not to put soldiers under any hazard besides in the battlefield the same treatment should be provided for local populations.

**18.2.2.7 Traffic Incidents.** "As a result of increase in military personnel and their dependents, there would potentially be more vehicles on the roadways resulting in more heavily congested roadways and, thus *more potential* for accidents and traffic fatalities." Comment: The United States DOD should fund projects related to Guam roadway infrastructure, improved and enhanced traffic lights under U.S Department of Public Works guidelines.

### HEALTHCARE

K-052-049

Location of information: Volume 2, Chapter 18, page 18-16. The SAIS study reiterated under the Health Care Services, in Volume 2, Chapter 18, page 18-16, that 15 additional doctors (26% increase) and 91 additional nurses (26% increase) would be required to maintain the current service ratios during the peak construction year (2014). There will also be a large increase in TriCare population when the relocation is complete. The DEIS does not provide an in depth analysis of the impact of TriCare patients on Guam's primary care infrastructure and non-military population.

More specifically, private clinics treat TriCare patients for many reasons such as proximity to work location for spouses and proximity to private schools that military dependents attend. Private clinics have also provided care to TriCare and Delta Dental patients on Guam to fill gaps of poor appointment availability and long waits on military run clinics. Some military families also prefer the privacy of clinics not on the military base. Thus, there is likely to be a much greater need for additional doctors, nurses, pharmacists, dentists, optometrists, opticians and ancillary professionals in the outside community beyond public clinics and hospitals. The need to recruit more physicians into the civilian community will also drive the cost of health care higher because the remote isolation of Guam commands higher salaries for physicians and nurses at public and privately run clinics.

Q: Will DOD factor the higher cost of recruiting specialized professionals, such as doctors into the inflation calculations in the final EIS document? Will the DOD support and lobby for legislation in the FY2011 Defense Authorization Act that offers financial incentives to physicians, nurses, pharmacists, dentists who practice medicine in rural or underserved areas like Guam with significant veteran, TriCare and Medicare

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public during small arms and hand grenade training, criteria from Marine Corps Order 3570.1B would define the Safety Distance Zones (SDZs) for the ranges based on the weapon and munitions characteristics to be used on the ranges. The range designs and associated SDZs would be certified in accordance with Marine Corps Order 3550.9, Marine Corps Ground Range Certification and Recertification Program.

On your comments on the potential increase in traffic accidents; as discussed in Volume 2, Section 18.2.2.7, there would potentially be more vehicles on the roadways resulting in more potential for accidents as a result of the increase in military personnel and their dependents. The DoD uses focus group sessions with personnel to strategize potential measures to reduce the number of liberty incidents, including traffic incidents. Several common factors contribute to liberty incidents including; young personnel, late night, impaired driving, and alcohol/drugs. Some of the measures that would be implemented to reduce traffic incidents include awareness training regarding the consequences of drugs and alcohol use; increase Shore Patrol activity; and provide free shuttle bus runs to/from town. Traffic accident data for the years 2001 through 2005 indicated that, despite the population increase over the 5-year period, the number of traffic accidents has decreased. In addition, the Guam Territorial Transportation Improvement Plan contains 14 island-wide traffic hazard elimination projects that include school zone signs, village road safety and warning signs, seashore protection, pavement markers, anti-skid surfacing, and guardrails.

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Thank you for your comment. The Final EIS has been updated (Volume 2) to better address impacts on social services.

As documented in this EIS, DoD acknowledges the existing sub-standard conditions of key public infrastructure systems and social

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populations? Examples of incentives are funding of medical-school costs or assistance in repaying medical school loans and physicians.

### HOUSING

Volume 9 Socioeconomic Impact Study (page 2-7). Low Capture rates. Almost all of the goods needed to construct or operate military bases would not be produced on Guam and would be shipped from off-island and onto military bases, with Guam's economy capturing little or no value.

Comment: This is a serious comment that must be evaluated and laws changed so that Guam will be able to capture taxes related to the construction. For ANY product related to the buildup, especially inside the base, MUST be captured by taxes.

Recommendation: Agreements must be made, by act of Congress and local legislation recognized to impose taxes on any and all products used as a direct result for the military buildup. This should include everything from construction materials to hardware. Until such time that this agreement is in place, there should be NO ACTION.

### LABOR

Comment: The Draft EIS needs to have an analysis of how the proposed action would impact the number of construction and development permits, including workers needed, that would be necessary to complete the planned activities. Citation: Volume 9, Page 13-9 Justification: The number of H2B workers is expected to increase by 16,000 workers for military-related projects not to mention the thousands of workers to complete GovGuam and civilian projects. It is anticipated there will be an increase in on-site labor during the construction phase for military projects. It's expected the labor force will be from Guam and Micronesia first, before expanding the recruitment area. GovGuam will continue workforce training and education programs. Background The following agencies would be impacted by a growth in permit requests for construction and development. • Guam Department of Public Works • Guam Department of Land Management • Guam Environmental Protection Agency • Guam Coastal Mgmt Program within Bureau of Statistics and Plans • Guam Power Authority • Guam Waterworks Authority • Guam Fire Department, Permitting Staff • Historic Preservation Office within GDPR • Guam Division of Environmental Health with GDPHSS • Guam Alien Labor Processing and Certification Division in the Guam DOL Comment: The Draft EIS needs to have an analysis of how these jobs will affect the off-base job market including wages, availability of skilled employees and the cost of living. There also needs to be a study regarding the possible impact of wage increases or loss of labor to higher paying jobs due to the military buildup.

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services on Guam and the interest to have DoD fund improvements to these systems and services. DoD's ability to fund actions is limited by Federal law. However, to minimize adverse impacts associated with the proposed military relocation program, DoD is leading a federal inter-agency effort to identify other Federal programs and funding sources that could benefit the people of Guam.

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Citation: Volume 9, Appendix F, page 147, table 4.3-3 Justification: It is projected there will be more than 3,700 new federal jobs coming to Guam. 50% of the jobs will be filled by federal civil service workers moving to Guam from Okinawa. 25% are anticipated to be taken by military spouses leaving less than 1,000 jobs for Guam residents. It is projected that there will be 238 civilian military employees in 2010 and 522 in 2011, 2012 and 2013. That number jumps to 3,511 civilian military employees in 2014 and 3,743 every year from 2015 to 2020. It is projected that 50% of these jobs will be taken up by Okinawa transfers while 25% would be absorbed by military spouses (page 4-6) leaving only 25% available for local residents.

Comment: There needs to be a complete study regarding how many military dependents will be looking for employment off base and what that will do to the number of available jobs for Guam residents. The Draft EIS needs to incorporate a more sufficient study regarding how the unemployment rate will be impacted by the military buildup.

Citation: Volume 2, Chapter 16, page 54 Justification: Historically DOD personnel and their dependents compete for existing jobs off-base as part-time workers, thus decreasing the availability of jobs for local residents. The proposed action would bring many new jobs to Guam but it would also bring a large new population from off-island.

### CULTURE

K-052-050

Volume 9 Socioeconomic Impact Study page 1-3 (Introduction). Comment: The entire above are certainly concerns within our community, but as far as cultural impacts, the statement that the "effects on Chamorro culture of off-island construction workers" shows how naïve the writers of the DEIS are. The cultural impacts are not only of off-island construction workers, but also the military personnel and their families plus the thousands of others who will come for better opportunities. The culture of our people CANNOT and SHOULD not be limited to construction workers. The culture is a way of life that WILL be comprised when an increase of non-indigenous population come to Guam. All MUST be protected; from language to cultural sites, from simply understanding respect for our people and knowing that they are only here temporary so knowledge of what makes Guam unique must be enforced. It is not always learned in a classroom, videos or in a training class.

Recommendation: You must understand what culture is for our local people and DO NOT EVER takes that for granted.

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18 NRHP-eligible archaeological sites would receive significant adverse impact in alternative 1. Comment: Loss of 18 potential NRHP-eligible site is a major blow to cultural resurgence? Access should be more available to local public. Recommendation: To cease activities in the area and apply for NRIIP or No Action.

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### **K-052-050**

Thank you for your comment. Impacts of both the construction workers (off-island) and the military are discussed. The Socioeconomic Impact Assessment Study (SIAS) was performed in two parts - one that examined the construction phase, which would involve off-island construction workers, and another that examine the operations phase - which would involve military personnel, their families, and other populations. The SIAS is included as Appendix F of Volume 9 in the DEIS.

DoD recognizes the importance of managing efforts in implementing the proposed military relocation to reduce adverse effects on the people of Guam, its natural resources and infrastructure. The EIS process identifies ways to implement the proposed relocation while minimizing adverse impacts. DoD will continue to work with the people and Government of Guam to ensure that the short term impacts of construction are managed effectively and that the long term effects of the military relocation reflect DoD policies to be good neighbors and responsible citizens on Guam.

### **K-052-051**

Thank you for your comment. Early identification, consultation, and predictive modeling resulted in a significant reduction in the amount of archaeological sites directly impacted by designing the proposed projects away from or around areas that contained high densities of historic properties. Thus, the vast majority of impacts to resources were avoided. DoD will continue to work very closely with the Guam SHPO and other interested parties to continue our efforts to avoid, minimize, and/or mitigate adverse effects to cultural resources and to provide information necessary to protect historically important archaeological sites.

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12.2.3.3 Summary of Impacts. 22 NRHP-eligible archaeological sites would result in significant impact. Comment: Same as alternative 1. Recommendation: Same as alternative 1. Overall comment to chapter: All alternative plans 1,2,3,8 have significant impacts on cultural resources. Recommendation: No Action.

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**GENERAL RECOMMENDATIONS**

K-052-052

**Statement of Problem: Quality of Life**

Comments: The quality of life for Guam residents will be impacted in many ways. Two specific areas that will severely affect families on Guam are the cost of living and increased traffic.

The cost of living will undoubtedly increase as the local velocity of money increases substantially over the next ten years due to speculation and demand that exceeds supply. Any close study of the price of Gasoline, Utilities, Mortgages and Airline tickets will show that competition is not the great equalizer of several components of that consume an average Guam family's disposable income.

The military buildup and relocation will undoubtedly drive up the price of local housing due to the high demand for local construction resources. Higher prices will result in monthly mortgage payments that are hundreds of dollars higher per month for any that purchases a house in the next ten years.

The expansion and maintenance of utility (Water and Sewer, Power, Solid Waste) infrastructure will pressure rate payers. Guam's residential average per kilowatt hour rate is higher than all other states except Hawaii. Unpredictable oil prices sent power rates on a steep increase over the last several years and most likely will continue to rise as world economies recover and international tension builds due to Iran's pursuit of nuclear weapons. Current Guam law mandates that 5% of the Guam Power Authority (GPA) production be from alternative energy by 2015. According to GPA preliminary studies this will also force increases in rates due to low capture rates and other limitations. The Consolidated Commission on Utilities (CCU) has recently increased water rates 14% and Guam Waterworks plans to borrow an additional \$300 million in bonds to finance infrastructure improvements related to a permanent injunction related to USEPA findings. Rates will need to increase again to cover this future debt service. Solid Waste rates have increase over 300% in the last year as well.

The utilities will be pressured further as the military buildup will strain the current infrastructure to the point of requiring increased capacity. Increased capacity will need capital improvement and ultimately increase operation costs, specifically maintenance.

The quality of life for residents will continue to degrade as residents are forced to choose between things such as using air conditioning and purchasing other items. The use of water is also not negotiable and will also force residents to divert money from other areas to cover increased water rates. The Solid Waste system offers few

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Thank you for your comments and mitigation suggestions.

The FEIS recognizes that the utility systems on Guam are substandard. These utility systems must be brought up to standards. To accomplish this task, it is likely that utility rates would change to help fund needed improvements. DoD does not set these rates. DoD would work with GOVGUAM to assist with improving potable water, wastewater, power, and solid waste systems with a goal of getting these systems into compliance with current federal and Guam environmental laws and regulations.

The FEIS anticipates that military housing will be built within the main cantonment area. It is anticipated that the majority of Marine families would rent units in the military housing and generally not compete with Guam residents for available housing units. It is likely that housing prices and rent will increase in the short term. After the construction period, housing and rental prices could decline because the construction labor force (not including the H2B workers who will live in dormitory type quarters) would leave Guam.

Relating to cost of living and the proposed military buildup, it is noted that the history of inflation and recession of Guam's economy from the 1970s to present was provided on page 3-47 of the SIAS. In subsection 4.3.1.4 (beginning page 4-10) of the SIAS, the subject of impact on the standard of living is addressed, stating: "Standard of living is a measure of purchasing power. If the standard of living increases for a person it means they can purchase more goods and services. If the standard of living declines for that person, he or she can purchase fewer goods and services. Changes in a person's standard of living are determined by their income and the prices of the goods and services they tend to purchase. A person's standard of living will increase if their income rises faster than the prices of goods and services they tend to purchase. A

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convenient alternatives to reduce the waste stream. The current residential rate structure also does not recognize and reward residents that produce less refuse. For these reasons, residents have little control over this increase and again will be forced to divert resources away from other needs to cover the monthly cost for trash pickup and disposal.

All the aforementioned utilities operate as a monopoly whose rates are set by the CCU and Public Utilities Commission (PUC). There are no documented cases where rates have been decreased as a result of CCU policy.

The price of gasoline has increased greatly over the last several years which eroded consumer purchasing power. Increases in the price of gas are not unique to Guam; however, the price per gallon of gasoline is higher than the Continental United States. Competition in the petroleum industry is non-existent. The per gallon price of fuel never varies between gas companies by more than a day or two before all stations settle in at the same price. It is unlikely that consumers will see any relief from fuel cost as a result of the buildup. If anything, the Capital Improvements being undertaken by the Port Authority of Guam are likely to be passed on to companies and in turn passed on consumers. The gas companies are large customers of Port Operations and thus consumers will bear the brunt of higher gas prices.

Along the same lines, Guam's import economy will also see increases due to Port improvements and supply and demand issues related to population surge of the buildup.

The composition of the family unit on Guam primarily consists of two working parents. Increases in the cost of basic needs will force some people into welfare situations, others from middle class to lower class. Some may seek 2<sup>nd</sup> and 3<sup>rd</sup> jobs to the detriment of spending time with family.

Traffic will also have a big impact to resident's quality of life as they will accumulate several additional hours a week stuck in traffic during the buildup and after the relocation. These are hours that are currently spent with family or doing other things. The additional hours will force changes to routines which inevitably will be a displacement of time spent on other activities such as homework, sleep, exercise, recreation, worship, etc. This impact of traffic congestion on Guam was not adequately documented, analyzed and addressed in the DEIS.

Increased traffic will also affect people who walk, jog, ride bikes, etc. The increase volume of vehicles and time spent in traffic will result in increases in hazardous exhaust and higher probability of pedestrian accidents.

Mitigation, Alternatives, Suggestions

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person's standard of living will decline if the prices of goods and services they tend to purchase rise faster than the person's income. In both the construction and operational components, the average wage of workers would increase as a function of greater demand for labor. However, the price of goods and services purchased by individuals would rise as well. It cannot be definitively predicted whether wages or the price of goods and services would increase at a faster pace. If wages earned by a particular household rise more quickly than the price of goods and services, then the standard of living would increase. If the price of goods and services rises more quickly than wages, the standard of living would decrease. For households on fixed incomes, the result would be reduced purchasing power. Those with the ability to quickly renegotiate their wages will have a better chance at maintaining or increasing their standard of living." On page 4-11 of the SIAS, the discussion continues and discusses the income of military related construction and operational jobs that will, on the average, be higher than the present average wages on Guam. It concludes: "In terms of cost of living, from 2000 to 2008 Guam workers have seen their standard of living decline by 30% and there is no reason to expect the military buildup to reverse that trend – Guam workers will likely to continue to see the cost of goods and services rise faster than their incomes. While the proposed action may not represent a reversal of this trend, it will slow the rate of decline in the standard of living that has been prevalent since 2000."

Utilities and roads are discussed in Volume 6 of the DEIS. Discussions on the demand for utilities, improvements to the utility systems, and other matters are ongoing and more information has been included in the FEIS. A number of road and bridge improvement projects would be funded by DoD.

K-052-052

- 1) The largest impact for mitigation on the degradation to resident's quality of life can only be in the form of financial. Without some sort of rail system on the island, the population increase and limited amount of land will not permit mitigation to keep current travel times during and after the military buildup.

To compensate for traffic congestion impact, the Department of Defense should consider seeding a large endowment fund to the government of Guam to fund recreational programs including regional fitness centers, gymnasiums, swimming pools, tracks and playgrounds for residents. Not only would these facilities provide safe alternatives for recreation for residents but they would also promote healthier lifestyles which would help offset increases to health care costs resulting from the military buildup.

- 2) Cost of living increases related to utilities can be mitigated by the military paying higher rates for Power, Water, Solid Waste and Port Fees than residents which in turn would allow the CCU and PUC to pass savings on to residential rate payers.
- 3) It is unclear why the Department of Defense outsources the operation of their utilities to companies like DZSP 21 as opposed to turning over Fenna water operations and military owned power assets to the government of Guam.

If Guam is to be a partner and host to the military then it only makes sense to allow Guam Waterworks and Guam Power Authority to leverage the economies of scale by controlling all the production of water and power on the island.

The military should deed over utility assets to the government of Guam and become only a customer.

Senator vicente "ben" c. pangelinan  
Committee on Appropriations, Taxation, Banking, Insurance, Retirement, and Land  
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Office of  
SENATOR RAY TENORIO

February 18, 2010

JGPO c/o NAVFAC Pacific  
258 Makalapa Drive, Suite 100  
Pearl Harbor, HI 96860-3134  
Attention: GPMP

*Hafa Adai!*

I am a former police officer, who spent 15 years on the force protecting our residents. I am also a father and grandfather, a husband, and a proud son of Guam. I submit these comments from the perspective of an official elected to protect the safety of our people, and the culture we hold so dear.

**K-053-001** The Guam Legislature already has submitted official comments, for which I voted. I am submitting these comments focusing on ways we can reduce crime on the island through and beyond the military buildup. I also focus on ways we can advance Guam's unique and beautiful culture.

**K-053-002** It is my hope the federal government allows Guam to be a partner, not a spectator, in the buildup of its own island. The United States is undertaking the largest military buildup in history on our shores. This brings with it major, irrevocable impacts. We must be partners at the table. We must have the loudest voice. We want this buildup to be the start of a sustainable future for our children, not the start of the destruction of our way of life.

*Si Yu'os Ma'ase,*

Ray Tenorio  
Senator, 30<sup>th</sup> Guam Legislature

#### **K-053-001**

Thank you for your comment. Issues of public safety have been of concern in many comments provided during the public comment period. Additional information, as available, has been provided in the FEIS and an expanded discussions on mitigation measures have been included.

#### **K-053-002**

Thank you for your comment. DoD recognizes the importance of managing efforts in implementing the proposed military relocation to reduce adverse effects on the people of Guam, its natural resources and infrastructure. The EIS process identifies ways to implement the proposed relocation while minimizing adverse impacts. DoD will continue to work with the people and Government of Guam to ensure that the short term impacts of construction are managed effectively and that the long term effects of the military relocation reflect DoD policies to be good neighbors and responsible citizens on Guam.



Impact Based on what the DEIS says	My Comments
<p><b>Increase in Crime, Strain on Law Enforcement Resources:</b></p> <ol style="list-style-type: none"> <li>1. Expect increase in number of offenses and arrests at the onset and during the construction component.<sup>1</sup></li> <li>2. The military operational component will have little impact on the overall crime rate.<sup>2</sup></li> </ol>	<ol style="list-style-type: none"> <li>1. The police, fire, customs, corrections, and agriculture forces already are severely short on law enforcement.</li> <li>2. There is no commitment of DoD or federal resources to building up law enforcement agencies to prevent crime.</li> <li>3. The DEIS does not list the types of offenses planners expect will increase during the construction phase. 100 robberies is not the same as 100 rapes.</li> <li>4. The crime rate is percentage-based. A surge in population sustaining the same number of crimes will drive the crime rate down dramatically. Instead, the DEIS says it will have little impact on the crime rate. This obviously suggests the number of crimes will go up in order for the crime rate to catch up with the new population base. What types of crimes are these?</li> <li>5. It is impossible for Guam to prepare to keep the crime rate down without any information and resources to do so.</li> </ol>
<b>Proposed Solution</b>	
<ul style="list-style-type: none"> <li>• The DoD must provide more in-depth study into the types of new crimes, which may be committed based on the current level of local law enforcement numbers. It should also study how many fewer crimes will be committed with more law enforcement officers.</li> <li>• The DoD must fund the hiring of new officers for Guam Police and Fire Departments, Departments of Youth, Corrections and</li> </ul>	

<sup>1</sup> Draft Environmental Impact Statement Vol. 2 Ch. 16 Pg. 16-86

<sup>2</sup> Draft Environmental Impact Statement Vol. 2 Ch. 16 Pg. 16-87

**K-053-003**

Thank you for your comment.

The impacts of crimes on Guam are discussed in Volume 2 of the FEIS. As noted in the SIAS: "A critical distinction when analyzing crime impacts is between the total numbers of crimes ("volume of crime") and the actual crime rate (numbers divided by population). Population increases always bring with them increases in the volume of crime, but the crime rate would increase only if new populations are disproportionately likely to commit crimes."

The DoD acknowledges that any increase in population, such as the one that these proposed actions would cause, may be accompanied by a proportionate increase in crime and social disorder. The DoD also acknowledges that widely publicized instances of military crime in Okinawa cause Guam residents to be concerned about possible repercussions on the island brought about by the increase in military population on Guam. The increase in population during the construction phase of the build up is recognized as a time for concern for increases in incidents of crime. Moreover, it is also acknowledged that the age group of many military personnel is often characterized as prone to conflicts and misbehavior. DoD educates its service men and woman on good behavior and will act promptly and rigorously to curtail any misconduct and enforce laws to protect the citizens of Guam and our military personnel.

As documented in this EIS, DoD acknowledges the existing sub-standard conditions of key public infrastructure systems and social services on Guam and the interest to have DoD fund improvements to these systems and services. DoD's ability to fund actions is limited by Federal law. However, to minimize adverse impacts associated with the proposed military relocation program, DoD is leading a federal inter-

Agriculture, Guam Customs and Quarantine Agency, and the Unified Courts of Guam. This funding can begin to taper after the buildup to allow GovGuam time to benefit from the expanding economy with higher revenues and take over the payments incrementally.

- The DoD and GovGuam law enforcement agencies may consider joint security ventures. This can include military personnel deputized in the Guam Police Department to patrol inside and outside the gate; fire and medic personnel to handle local emergencies; etc.

agency effort to identify other Federal programs and funding sources that could benefit the people of Guam.

Thank you for your comment. Please see response to K-053-003.

Additional mitigation measures have been added to the FEIS.

Impact Based on what the DEIS says	My Comments
<p><b>Criminal Activity in the community:</b></p> <ol style="list-style-type: none"> <li>1. The DEIS says it appears the military operational component will have little impact on the crime rate.<sup>3</sup></li> <li>2. Nothing further is said beyond this.</li> </ol>	<ol style="list-style-type: none"> <li>1. "Little" is a relative term. "1" is a small number compared with "100," but it is not taken lightly when it represents a rape, murder, or drug offense. The DoD must define, in specific terms, what "little impact" means for the types and numbers of crimes the DEIS references.</li> <li>2. Any increase in population is almost always met with an increase in crime. Although the actual rate may not fluctuate a great deal, an increase in case load for local law enforcement will be met with further financial needs. The DoD needs to expand further on the types of crimes that will increase so local officials can plan accordingly.</li> </ol>
<p align="center"><b>Proposed Solution</b></p>	
<ul style="list-style-type: none"> <li>• First, DoD must study this issue further and come back to GovGuam with much more information on the impact to the types and numbers of crimes.</li> <li>• We should begin prevention efforts now. The Marines, Navy, Air Force, Army, and GovGuam can enter a partnership. This partnership will allow cultural assimilation education courses or seminars to U.S. servicemen and women relocating to Guam. This way, U.S. servicemen and women will have a better understanding of cultural nuances and many barriers in communication will be broken down. This should lead at least to fewer violent altercations and a greater respect between civilians and military personnel.</li> <li>• This partnership also should include interagency memoranda allowing Military Police to patrol high-risk points, i.e. Tumon.</li> <li>• The DoD should aid Guam in securing funding to adequately police the permanent population growth as a result of the military buildup.</li> </ul>	

<sup>3</sup> Draft Environmental Impact Statement Vol. 2 Ch. 16 Pg. 16-87

Impact Based on what the DEIS says	My Comments
<p><b><i>Destruction of cultural sites, artifacts, etc.</i></b></p> <ol style="list-style-type: none"> <li>1. There are historic and cultural sites included in the areas the military is looking at acquiring.<sup>4</sup></li> <li>2. The military said every precaution will be taken to preserve artifacts found and respect historic and cultural sites.<sup>5</sup></li> </ol>	<ol style="list-style-type: none"> <li>1. Many of these sites have been undisturbed for centuries. Merely “preserving” unearthed artifacts does not make up for disturbing ancient burial grounds, or cultural centers of spirituality.</li> <li>2. All historic sites and artifacts must be preserved. Damage or demolition of history or cultural landmarks, artifacts, etc... will not be tolerated.</li> </ol>
<p align="center"><b>Proposed Solution</b></p>	
<ul style="list-style-type: none"> <li>• The DoD must stay within its existing footprint.</li> <li>• As a matter of fact, DoD must return land to the people of Guam.</li> </ul>	

**K-053-005**

Thank you for your comment. No known burial sites will be impacted by the proposed project. Through early planning efforts, the DoD has avoided the vast majority of historic properties.

<sup>4</sup> Draft Environmental Impact Statement Vol. 2 Ch. 12 Pg. 12-41

<sup>5</sup> Draft Environmental Impact Statement Vol. 2 Ch. 12

Impact Based on what the DEIS says	My Comments
<p><b><i>The Chamorro culture and language may be at risk:</i></b></p> <ol style="list-style-type: none"> <li>1. Expansion in non-Chamorro voting.<sup>6</sup></li> <li>2. Population could eventually affect the proportion of Chamorro office-holders and government workers, thereby affecting the current government budgets and activities dedicated to cultural issues and practices.<sup>7</sup></li> <li>3. A large influx of non-Chamorro speaking people will mean a smaller percentage of Chamorro speaking people if nothing is done.<sup>6</sup></li> </ol>	<ol style="list-style-type: none"> <li>1. This has the potential to diminish further the indigenous Chamorro population and the use of the Chamorro language.</li> <li>2. The DEIS does not make any reference to a U.S. or military willingness to help in this regard.</li> <li>3. The DoD also is not showing interest in encouraging the learning and use of this language by our U.S. servicemen and women. Military personnel in Japan, for instance, are encouraged to learn Japanese.</li> </ol>
<p style="text-align: center;"><b>Proposed Solution</b></p> <ul style="list-style-type: none"> <li>• This partnership may leverage the proper resources to expand our own local efforts to immerse the local population with the language.</li> </ul>	

**K-053-006**

Thank you for your comment. Topics such as the political status of Guam are important issues but are not part of the proposed action.

Comments related to these issues were numerous and indicate underlying social and political dissatisfaction with longstanding federal-territorial status issues outside the scope of DoD legal authority. The various EIS public engagement forums provided an indirect avenue for informing some and reminding others in local and federal policy-making institutions of issues that are important to a significant segment of the Guam community.

Through the process of public involvement that has accompanied this proposed action (see Final EIS, Volumes 1 & 10), the Chamorro people of Guam have voiced clearly and concisely their concern that the traditional Chamorro culture, including dance, language and traditions, will be forgotten or significantly marginalized by western culture. While population increases can highlight cultural differences, they also present unique and new opportunities for cultural learning and sharing. As indicated in the Final EIS (Volume 2, Section 16.2.5; Volume 4, Section 16.2.5), the DoD plans for cultural sensitivity orientation and awareness programs which will focus on mutual respect and tolerance and strive to educate all incoming and currently present military personnel on the rich and varied cultural history that has created the culture that is Guam today. Finally, the DoD plans to increase military civilian joint activities in order to foster strong and mutually beneficial military civilian relationships that include the sharing and understanding of culture.

<sup>6</sup> Draft Environmental Impact Statement Vol. 2 Ch. 16 Pg. 16-91

<sup>7</sup> Draft Environmental Impact Statement Vol. 2 Ch 16.2.3.3 Pg. 16-95

Impact Based on what the DEIS says	My Comments
<p><b><i>Destruction of Indigenous Flora &amp; Fauna:</i></b></p> <ol style="list-style-type: none"> <li>The areas proposed for the military build up are heavily vegetated. These also are habitat for many of Guam's indigenous animals.<sup>8</sup></li> </ol>	<ol style="list-style-type: none"> <li>Much of Guam's indigenous wildlife naturally is threatened when large tracts of land on this small island are cleared.</li> <li>Loss of habitat, disease, and invasive species all contribute to dwindling populations.</li> <li>Our wildlife, especially our flora, is an inseparable part of our identity as a people, and as a world-class resort destination. Tourism still is our number-one industry. We don't want to do anything to diminish visitor arrivals.</li> </ol>
<p align="center"><b>Proposed Solution</b></p> <ul style="list-style-type: none"> <li>Every measure must be taken to minimize damage to our island ecosystem.</li> <li>Indigenous flora that is removed must be replanted. Habitat for endangered species must be preserved.</li> <li>Prevention of erosion from landscaping, cut and fill activities, demolition, etc... must be enforced.</li> </ul>	

**K-053-007**

Thank you for your comment. DoD has evaluated the all locations for the placement of the required facilities, considering all requirements and resources that could be affected. The EIS represents those considerations. To minimize the impacts from clearing land, various conservation measures have been included in the final EIS, many of them developed in consultation with the U.S. Fish and Wildlife Service. These include establishing new ecological reserve areas that would not be disturbed and managed and improving the quality of the habitat within these areas and other areas with methods such as the removal of pigs and deer that damage the habitat.

As site specific plans for construction projects are developed, to the maximum extent practical, the DoN will minimize overall habitat loss by incorporating language and a map into the site plans that identifies environmentally sensitive areas. DoN will further encourage contractors to avoid or minimize their impacts

<sup>8</sup> Draft Environmental Impact Statement Vol. 2 Ch. 2 Pg. 2-30



*I Mina'Trenta Na Liheslaturan Guåhan*  
THIRTIETH GUAM LEGISLATURE

SENATOR EDWARD J.B. CALVO  
MINORITY LEADER(R)

February 17, 2010

JGPO c/o NAVFAC Pacific  
258 Makalapa Drive, Suite 100  
Pearl Harbor, HI 96860-3134  
Attention: GPMO

I am submitting my comments on the Draft Environmental Impact Statement. I submit them as a citizen, a senator, a father, a husband, and a son of Guam. Unlike the DEIS, my comments go well beyond the confines of a military buildup.

**K-054-001** The observations and recommendations that follow are done under serious time constraints. Even with the extension granted, I have personally found 90 days to be seriously insufficient to properly and thoroughly review the DEIS. Just like the nature of the document I am speaking of, these comments are merely a "draft" of all of my concerns.

**K-054-002** These comments speak to the impact of the buildup itself to our land and resources. For the record, I am opposed to the taking of any land and the destruction of entire ecosystems at Apra Harbor.

Most importantly, I submit this commentary in hopes Guam and the federal government can partner to support the sustainable prosperity of the people of Guam.

Our country needs Guam for the strategic security interests of the United States and our allies. Japan needs Guam for several geopolitical reasons. Guam happens to be in dire need of certain improvements.

To put this in the simplest of terms: Our country needs Guam. Japan needs Guam. Guam is leveraging its strategic value to get what is best for our people.

I understand the importance of the global realignment of the armed forces. Our national security interests are paramount to preventing another terrorist attack. It means the protection and proliferation of freedom. It means a safer world for our citizens, and our soldiers. I will lend to this initiative every ounce of unwavering patriotism I can.

What disturbs me is issues our people have been pushing with the federal government for decades remain in the background. We have been told these issues, like war reparations, compact impact reimbursement, control of our Exclusive Economic Zone, visa waiver programs with the Philippines, and federal services for our veterans, take further deliberation and consideration. Yet, the movement of tens of thousands more people and \$15 billion worth of projects warrants only 90 days of comment just three years after the initiative was announced. The federal buildup came directly to the front of discussions just as easily as Guam's issues could have, if the country indeed was sincere about resolving them. It is easy for one to surmise that most of Guam's priorities are meaningless to the federal government. Fortunately, the federal government's priorities are important to Guam. We

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**K-054-001**

Thank you for your comment. The DoD carefully considered all requests to extend the length of the comment period beyond the 45-day minimum required by NEPA. In evaluating multiple options, DoD leadership determined that a 90-day comment period best balanced the need for sufficient time to review a complex document with the requirement to reach a timely decision regarding the proposed military buildup on Guam.

**K-054-002**

Thank you for your comment. Topics such as war experiences, war reparations, and veterans benefits are important issues but are not part of the proposed action. Comments related to these issues were numerous and indicate underlying social and political dissatisfaction with a broader range of federal-territorial relations outside the scope of DoD legal authority. The various EIS public engagement forums provided an indirect avenue for informing local and federal policy-makers of issues that are important to a significant segment of the community.

K-054-002

share a desire to make this world a safer place. All of us want what is best for our troops and their families. Guam has never been remiss in its support of the United States. It is the federal government's turn to reciprocate our kindness and generosity.

The Draft Environmental Impact Statement says nothing about the outstanding issues important to our people. It only discusses the environmental impact of military buildup activities. I provide my comments on the attached pages. I cannot miss this opportunity to register my concerns on the issues unstated. These comments follow as well.

Thank you for this opportunity.

Sincerely,



**Edward J.B. Calvo**

**Given:**

1. This Draft Environmental Impact Statement considers only the direct, indirect, and induced impact of the military's activities between 2010 and 2015. It does not consider this impact to Guam on a timeline extended to 2018. More importantly, it does not consider local community and local government actions to develop the economy, expand capacity, and improve services.
2. This Draft Environmental Impact Statement was created using information available during a point in time.
3. None of the partnering agencies of this DEIS were government of Guam entities.

**Comments:**

K-054-003

Proposed Military Action Based on the DEIS, and Commentary

**Land Acquisition:**

1. The military currently owns approximately 29% percent of all landmass in Guam.<sup>1</sup>
2. Each of the three alternatives for the real property needs of the military buildup include the acquisition of land from both private landowners and the government of Guam.<sup>2</sup>

Commentary:

1. It is commonly known the military has thousands of acres of unused land in its existing footprint.
2. An inventory of such land, if one exists, has not been shared with the government of Guam.
3. There is no alternative for the military to look within its existing footprint.
4. The DEIS does not rule out the use of eminent domain to 'acquire' land.
5. The DEIS incorrectly states the land acquisition proposed along Route 15 is not being used. Thousands of residents use the Guam Raceway Park every week.
6. Part of the reason for acquiring land in the proposed alternative sites is for the 'ease of movement' of Marines to and from firing ranges and other grounds. The DEIS does not consider the construction of access ways between existing military bases to provide this ease of movement if functions such as the firing range can be housed within existing bases.

**Summary of Public Concern**

- Every senator, Congresswoman Madeleine Bordallo, vocal residents, and the Guam Chamber of Commerce all oppose the use of eminent domain.
- Of my constituents, who have contacted me, none support the sale of government of Guam land to the military. Some do not support even the lease of GovGuam property. Others do support the lease of GovGuam property.

<sup>1</sup> Draft Environmental Impact Statement Vol. 1 Ch. 1.4.2.5 Pg. 1-24  
<sup>2</sup> Draft Environmental Impact Statement Vol. 1 Ch. 2 Pg. 2-1 ~ 2-36

**K-054-003**

Thank you for your comment. DoD was required to determine whether military relocation requirements could be met by excess, underutilized or otherwise available property held by DoD on Guam. Early development plans attempted to keep all activities on existing DoD lands. However, as discussed in the FEIS (Volume 2, Chapter 2), after applying operational and environmental screening criteria, no contiguous DoD area on Guam was identified that could support all the land use and operational requirements of the action.

Should DoD determine that additional land is necessary to meet its requirements, DoD policy requires that it negotiate with affected public and private land owners in good faith, seek agreements to acquire desired lands interests and pay fair market value. Where circumstances exist that require resolution of issues such as ownership or value, procedures exist under eminent domain authority to resolve those questions. Eminent domain requires reimbursement at fair market value.

The Proposed Action would result in the acquisition of lands on the east side of Guam near Route 15 and the existing Andersen Air Force Base South property and the construction of a live fire training range complex on the site. The lands consist of Government of Guam controlled parcels as well as a few privately owned parcels. The Government of Guam parcels are held by two entities, the Chamorro Land Trust and the Ancestral Lands Commission. These entities manage certain Government of Guam land holdings to support native Chamorro interests and compensate land owners for lands currently controlled by the federal government.

In the northern most parcel, under the control of the Chamorro Land Trust, there exists the Guam International Raceway. This entity, which is a non-profit organization, operates a raceway complex consisting of a drag strip and various motorcycle and off-road vehicle courses pursuant

K-054-003

**Proposed Solution**

The chosen alternative must be the one not included in the DEIS before us. The military must look within its own footprint. If, for reasons of national security, and not for planning conveniences, the federal government needs certain parcels outside its existing footprint, the following guidelines must be followed:

1. Land belonging to private owners must be acquired through negotiations and by the consent of the landowner.
2. Government-owned land must be leased at a reasonable rate and the federal government must return, inch for inch, land within its existing footprint as an added exchange to the lease.

K-054-004

**Proposed Military Action Based on the DEIS, and Commentary**

**Dredging of Apra Harbor:**

1. Dredging is required to establish berthing areas for Naval aircraft carriers and carrier support groups.<sup>3</sup>
2. Dredging will destroy approximately 53 acres of coral reef marine habitat.<sup>4</sup>
3. Undetermined acreage of marine habitat around the dredge area will be destroyed by silt sediment from the dredging.<sup>5</sup>
4. The 'mitigation' proposed is the artificial creation of new coral reef marine habitat elsewhere near Guam.<sup>6</sup>

**Commentary:**

1. The DEIS briefly mentions one possible way around the berthing area. Naval aircraft carriers and CSGs may now enter the harbor by maneuvering through the existing channel.
2. The impact analysis is inadequate, as several scientists publicly stated. The scope of damage from silt sediment is unknown. This requires further study.
3. The mitigation proposal is not a mitigation solution. The 53 acres of coral reef marine habitat will be destroyed. No action after which can mitigate that.

**Summary of Public Concern**

- Scientists raised concerns about the fragile and unique marine life indigenous to that area. Some scientists question whether these marine species will survive and move to the new habitat proposed.
- Experts have also criticized the coral surveying done in DEIS, arguing it underestimates the amount of coral that will be affected.
- Residents and tourists take to this area for exotic diving.
- The coral reef ecosystem in question has been thriving there for thousands of years.

**Proposed Solution**

<sup>3</sup> Draft Environmental Impact Statement Vol. 4 Ch. 2.3.5 Pg. 2-22  
<sup>4</sup> Draft Environmental Impact Statement Vol. 4 Ch. 2.5.3.2 Pg. 2.41  
<sup>5</sup> Draft Environmental Impact Statement Vol. 4 Ch. 11 Pg. 11-21  
<sup>6</sup> Draft Environmental Impact Statement Vol. 4 Ch. 11 Pg. 11.82

to a 20 year license with the Chamorro Land Trust. These recreational facilities satisfy a significant component of the public demand for racing as well as accommodating periodic police vehicle training. The license is set to expire in 2018. Under the terms of the license the Guam International Raceway is able to remove aggregate mined from the site to improve its operations, but at the option of the Chamorro Land Trust must return the property in "pristine" condition upon the termination of the license. The license clearly states that the Guam International Raceway has no interest in the underlying property pursuant to its license. Further, there is no right to renew the license.

Should DoD decide to acquire land for the Route 15 training range complex, an offer of just compensation would be made to the owners of the property, including the lands held by the Chamorro Land Trust. The just compensation offer would be at the full fair market value of the property, based upon an appraisal of the property and its highest and best use. Since DoD would acquire the property from the fee owners, any compensation to the operators of the Guam International Raceway would be a matter to be determined between the current land owner, the Chamorro Land Trust, and the tenant, the Guam International Raceway.

In the event DoD acquires the land, the Guam International Raceway would have to decide whether to continue operation in another location. If it chose to continue operations it may be eligible for relocation assistance from DoD pursuant to the Uniform Assistance and Real Property Acquisition Policies Act of 1970. If eligible, DoD would provide relocation assistance in the form of advisory services, and some specific financial assistance related to a move, but would not be responsible for the physical relocation of the operations of the Guam International Raceway.

As to possible sites for the relocation of the Guam International Raceway, such actions would be under the control of Government of

K-054-004

The Department of Defense should reconsider its DEIS impact statements on this issue and the alternatives. Further studies should be undertaken to determine the true amount of coral impacted, the true impact of dredging, the consequences to marine life in that habitat, and the probability of marine life transferring to a new, artificial habitat. The DoD should use the existing channel to maneuver Naval aircraft carriers and CSGs into Apra Harbor.

Guam is home to some of the greatest marine biologists in the Pacific. These biologists understand how the dredging process will affect the marine ecosystem. DoD must utilize their expertise to minimize damage.

K-054-005

**Qualifier:** The Legislature and a majority of the do not support dredging in Apra Harbor. The proposed solution below should only be used if DoD overrides the objections of the people of Guam and its leaders.

**Proposed Military Action Based on the DEIS, and Commentary**

**Use of Dredge Material:**

1. There are four options for the disposal of dredge material:
  - 100% ocean disposal
  - 100% upland placement
  - 100% beneficial reuse
  - 20-25% beneficial reuse, 75-80% ocean disposal<sup>7</sup>

**Commentary:**

1. Guam does not have a lot of space for terrestrial disposal areas.
2. Guam's ocean habitats are fragile.
3. Not enough scientific information is available in the DEIS to determine the true impact of each these alternatives.

**Summary of Public Concern**

- The main concern has been the possibility of radioactive contaminants surfacing from the dredge material.

**Proposed Solution**

The dredging process alone will have a tremendous impact on the island and its waters. To reintroduce the waste material into the water may have a terrible negative impact to the sensitive ecosystem. Also, the island cannot support more waste upland. The impact it will have on the island's geography and society is too detrimental. The only acceptable option is the reuse of the dredged material, after it is deemed to be free of toxic waste and other materials harmful to the environment.

K-054-006

**Proposed Military Action Based on the DEIS, and Commentary**

**Use of roads, energy, and water resources:**

1. The buildup itself will increase demand on roads and for power, water, solid waste, and wastewater services. This includes the initial increase in

<sup>7</sup> Draft Environmental Impact Statement Vol. 4 Ch. 2 Pg. 2-23

Guam officials as they are responsible for non-federal land use decisions on Guam. Given that a raceway complex is an industrial activity, it is most likely that any siting of a future raceway complex will be on lands zoned for such industrial activities and not within lands deemed recovery habitat for ESA listed species. Should the Guam International Raceway decide to continue operations and be eligible for relocation assistance from DoD, DoD will work with Government of Guam land use and natural resource officials to ensure that habitat concerns for ESA listed species are taken into account in any relocation effort.

The Draft EIS discussed the proposed land to be acquired in various chapters. The Final EIS has been revised to include a more detailed discussion on land proposed for acquisition under the different action alternatives.

**K-054-004**

Thank you for your comment.

Responses to Commentary:

1. The EIS acknowledges there would be impacts associated with the proposed construction of a new deep-draft wharf in Apra Harbor to accommodate a transient nuclear powered aircraft carrier. There are no other harbors in Guam, aside from Apra Harbor, capable of supporting Naval vessels for the proposed action as described in Chapter 2 of Volume 4 of the EIS. The DoD looked at several different potential wharf site locations, channel alignments, and turning basin options within Apra Harbor and used selection criteria to determine potential sites that would be both feasible and that would avoid/minimize environmental impacts to the extent practicable. Best management practices and potential mitigation measures have been identified (and are discussed in the EIS) to offset potential impacts from this proposed action.

2. The Navy has considered sediment runoff and resuspension as

military personnel and the construction workers during the construction phase.<sup>8</sup>

- There will be a larger population following the buildup. This population will demand more utilities services and will use available means of transportation.<sup>9</sup>

**Commentary:**

- There is no commitment for DoD or the federal government to finance the hardening and building of roads and bridges to ease congestion.
- There are references to the military investing in renewable energy for its use, but no information on whether Guam will benefit from green technology, which the local government has pursued for some time.
- The drilling and maintenance of 22 new wells to the northern aquifer will increase demand on Guam's main water source. Information on this impact is inadequate.
- There currently is a federal mandate for Guam to invest around \$300 million on secondary wastewater treatment infrastructure at the northern wastewater treatment plant. This is the treatment plant from which the military buildup will demand most its wastewater services. There is no federal commitment to funding this project.
- This DEIS does not take into consideration impacts outside the direct, indirect, and induced activities of the buildup itself. Population increases beyond these activities definitely will add demand to the island's infrastructure.
- Plans for a future desalination plant, which concern me, are discussed in the executive summary with reference to Volume 6 of the DEIS. However, no such plant is brought up in the aforementioned volume.

**Summary of Public Concern**

- Guam's roadways already are congested, under constructed, and unsafe.
- There already are intermittent power and water outages with the current population.
- Several communities are not even hooked up to wastewater services.
- Guam is footing the bill for the Layon landfill, and all improvements to the power, water, and wastewater utilities. The federal government will be using all these utilities.

**Proposed Solution**

The federal government must partner with the government of Guam to determine true impacts, and plan for unforeseen impacts. The federal government must finance the upgrades to roads, bridges, walkways, bike paths, and all utilities infrastructure following revelation of the true impacts.

**Impacts Not Adequately Discussed in the DEIS:**

**Granting War Reparations**

<sup>8</sup> Draft Environmental Impact Statement Vol. 6 Ch.1 Pg. 1-1 ~ 1-7

<sup>9</sup> Draft Environmental Impact Statement Vol. 6 Ch. 17 Pg. 17-1 ~ 17-30

potential impacts to coral reef and ecosystem. Land-based activities will have permits requiring best management practices (BMPs) that contain and reduce sediment and pollutant discharges into nearby waters. Additionally, low impact development strategies will be implemented by the Navy during construction activities. 3. Yes, significant unavoidable impacts will be seen to coral reef, other immobile invertebrates, and some site-attached reef fish as identified in the EIS. However, a majority of the fish species and mobile invertebrates will vacate the area and return when in-water construction is completed, experiencing short-term and localized impacts. To lessen impacts, the Navy will implement mitigation measures and BMPs during in-water activities (dredging, wharf construction) that include Army Corps permits requiring silt curtains, biological monitors, halting of dredging activities during potential coral spawning months. Additionally, as part of the military "build-up" of Guam, theDoD will be participating in the upgrade of Guam's Northern District Waste Water Treatment Plant from primary to secondary treatment. This action alone will assistthe GWA in meeting its coastal water quality standards for the benefit of sea life and people of Guam.

Even after efforts by DoD to minimize and avoid the impacts of the aircraft carrier project, there still remain unavoidable adverse impacts associated with dredging coral reef ecosystems in Outer Apra Harbor. As identified in Volume 4, Section 11.2.2.5 - 11.2.2-7, federal law recognizes the value of irreplaceable marine resources and requires compensatory mitigation. Compensatory mitigation is defined as the restoration, establishment, enhancement, and/or preservation of aquatic resources to offset unavoidable impacts to waters of the U.S. (including special aquatic sites, such as coral reefs). The compensatory mitigation is subject to approval by USACE, under the CWA, through the Section 404/10 permit requirements. As identified in the 10 April 2008 Federal Register, 40 CFR Part 230, the final USACE compensatory mitigation rule, permit applicants are required to mitigate to no net loss of ecological services and function.

The military buildup will cost the federal establishment billions of dollars. This is money that brings the overdue fight for war reparations billions of dollars away from fruition. This is, of course, unless the federal government prioritizes these reparations now. I ask the DoD to assist Guam in securing war claims acceptable to the people of Guam by the end of this fiscal year.

### **Reimbursing Guam for the True Cost of Compact Impacts**

The federal government already is behind its reimbursement to Guam for the true costs of the impact of the Compacts of Free Association by at least half a billion dollars. This impact will increase as people throughout Micronesia migrate to Guam for the supposed opportunities of the military buildup. The DoD must revise its DEIS to include these impacts. It also must help Guam secure these reimbursements from Congress.

### **Securing a Commitment to Honor the Self-Determination of the People of Guam**

The military buildup will draw Guam into a closer relationship with the United States. This comes without a vote by the people of Guam to determine its political destiny. I ask the United States to honor the outcome of such a vote when it happens. I also ask the DoD to fund all efforts leading to this vote for self-determination.

### **Opening a U.S. Department of Veterans Affairs Office in Guam**

Veterans in Guam now must wait for their claims and benefits to process in Honolulu. This slows down processing. It means veterans don't get their claims and benefits as timely as veterans throughout the U.S. do. More veterans will be living in Guam when the war ends, and when the military buildup begins. It makes perfect sense to open a U.S. DVA office in Guam offering full services.

### **Granting a Guam-CNMI Visa Waiver Program with the Philippines, Russia, and China**

Guam already is struggling in the competition with emerging tropical tourist destinations throughout Asia and the Pacific. These destinations have a competitive edge because Asian travel is less restrictive between these countries. The military buildup will strain resources, causing unfavorable impacts on the tourism industry. It also will cause congestion, noise pollution, and unsightly construction, further exacerbating our existing deficiencies in attracting new and returning visitors. The DoD can advocate for the federal establishment to grant Guam-CNMI Visa Waiver programs with the Philippines, Russia, and China to offset these losses with Japan and Korea.

### Responses to the Summary of Public Concerns:

1. As identified in the EIS, the proposed dredged area within the commercial harbor was previously dredged over 60-years ago. Significant impacts will be seen to coral reef, other immobile invertebrates, and some site-attached reef fish. A majority of the species will vacate the area and return when in-water construction is completed.
2. Although the appropriate science for measurement of the value of coral reef ecosystems is still debated at the academic level, the Navy used standard methodology and procedures to assess impacts to coral reef ecosystems. The Navy has coordinated with EPA, USFWS, NMFS, and USACE since scoping in 2007 in attempt to resolve the scientific debate, but no resolution has been obtained and the debate continues at the academic level. The Navy is currently pursuing third-party mediation with resource agencies to resolve the differences in opinion on the impact assessment data requirements. A compensatory mitigation plan would be submitted as part of the permit application for construction affecting the navigable waters of the United States of America, but one is not yet available for incorporation into the Guam and CNMI Military Relocation EIS. The Navy will conduct an additional environmental analysis to inform the decision maker in a supplemental or tiered NEPA document following the Guam and CNMI Military Relocation EIS.
3. In-water construction activities may have short-term and localized impacts on diving tours.
4. As identified in the EIS, the proposed dredged area within the active commercial harbor was previously dredged over 60-years ago and maintenance dredging continues within Inner Apra Harbor. Most of the area to be dredged has less than 30% coral coverage (i.e. 60% rubble, sand, and algae) and is of moderate health based on dive surveys. The shoal areas (western shoals, middle shoals, jade shoals, big blue reef)

K-054-008

### **Giving Guam Control over Its Exclusive Economic Zone**

The DEIS does not discuss Guam's initiatives to sustain economic growth through and beyond the buildup. The military buildup naturally will create finite economic opportunities and growth. The recession, which is sure to follow if nothing is done to sustain growth, can be avoided if Guam employed a campaign for stronger and new industries. Granting Guam control over its Exclusive Economic Zone will mean tax revenues from existing commercial operations. It also can mean new and exciting industries for our people. DoD should help us secure control over the EEZ for these purposes.

will not be impacted by direct dredging activities. Based on computer modeling, taking into account tides and currents, there are no indirect (sedimentation) impacts anticipated to these sensitive shoal areas.

### **K-054-005**

Thank you for your comment. Chapters 2 and 4, Volume 4 and Volume 9, Appendix D provide detail on the capacity of the upland placement sites within DoD lands. There is sufficient capacity to contain the dredged material on these upland sites and not interfere with potential non-DoD upland sites that may be needed by GovGuam and the Commercial Port for the Port's Modernization Program.

Sediment samples within the proposed dredging areas were analyzed according to USEPA and USACE testing criteria. As discussed in the EIS (Chapters 2 and 4 of Volumes 2 and 4), preliminary sampling results indicate that all contaminant parameters that were tested with the exception of nickel were below the Effects Range Low (ER-L) level. Nickel is a substance that is naturally occurring in the environment. The study results suggest that the materials to be dredged would not require special handling and would be suitable for upland placement for beneficial reuse or ocean disposal (although the ocean disposal permitting process would require separate analysis and toxicity testing). Additional testing will occur during the permitting process and a dredged material management plan will be developed.

A separate EIS was prepared for designation of the ODMS. Chapters 4 and 11, Volume 4 provide extensive details and analysis of the potential impacts to water resources and the marine environment from the two proposed alternatives. Additional text has been added to Chapter 2 of Volume 4 noting the inclusion of the sediment characterization study that was cited in the DEIS but was not included as part of the technical appendix in Volume 9, Appendix K previously. This study has now been included in Volume 9, Appendix K.

Regarding the concern about radioactive sediments, radioactivity associated with U.S. Navy nuclear-powered ships and the environmental monitoring program for such radioactivity were discussed in the Draft EIS in Volume 4, sections 18.1.1.1 and 18.2.2.6. These sections discuss the long history of safe operations and lack of adverse environmental impact. U.S. nuclear powered warships have safely operated for more than 50 years without any release of radioactivity that affected human health or had an adverse effect on the environment or marine life. The Navy's annual report covering environmental monitoring at locations throughout the U.S. was discussed, including the fact that radioactivity associated with nuclear-powered ships, chiefly cobalt-60, is not detectable in the environment in most harbors. The latest issue of this annual report is Report NT-09-1 dated March 2009.

1. No cobalt-60 was detected in Apra Harbor, Guam in the samples documented in this report, which covers calendar year 2008. In addition to this summary report for all U.S. harbors, the Navy issues a detailed report for Apra Harbor each year
2. The latest report includes the results for each individual water, sediment, and marine life sample taken in Apra Harbor during 2008. No cobalt-60 was detected in any of these samples. The Navy has been conducting radiological environmental monitoring in Apra Harbor since the early 1960s, when nuclear-powered ship operations in Guam started. A complete history of all of this environmental monitoring data is provided in Volume I of the Historical Radiological Assessment for Apra Harbor
3. This report documents that only trace amounts of cobalt-60, far below any level of health or environmental significance, have ever been detected in Apra Harbor.

The response to Senator Cruz's comments (K-007-002 and K-047-001) includes a detailed discussion on the nearly 50 year history of environmental monitoring for radioactivity by the U.S. Navy. No radioactivity associated with nuclear-powered ships (cobalt-60) has been detected in Apra Harbor since 1990. Core samples taken in the inner harbor in 2004 and in 2009 in areas of the outer harbor considered for dredging have not had detectable cobalt-60 at any depth. Trace concentrations of radionuclides associated with fallout from past nuclear weapons testing (cesium-137, americium-241, and plutonium 239/240) have been detected. These fallout nuclides are detectable worldwide. This trace amount of radioactivity in the sediment is far below the concentration established by the International Atomic Energy Agency for determining whether dredged sediments can be regarded as non-radioactive or de minimis under the Convention on Prevention of Marine Pollution by Dumping of Wastes and Other Matter (London Convention, 1972).

4. Since there is no indication of elevated radioactivity in Apra Harbor sediments, dredged sediment from Apra Harbor may be disposed of without any need for special considerations regarding radioactivity. The Final EIS has been revised in several sections to include the information discussed in the response to the comments from Senator Cruz and EPA. Revised sections include Volume 4, sections 2.3.5.1, 4.2.2.2, and 18.2.2.6, and Volume 2, section 4.1.4.1.

References:

1. U.S. Navy Report NT-09-1, "Environmental Monitoring and Disposal of Radioactive Wastes from U.S. Naval Nuclear-Powered Ships and Their Support Facilities", March 2009
2. U.S. Navy Report, "Radiological Environmental Monitoring Report, Calendar year 2008, Apra Harbor, Guam"
3. U.S. Navy Report, "Historical Radiological Assessment, Apra Harbor Naval Complex Territory of Guam, Volume I, Naval Nuclear Propulsion

Program, 1961-2004”, February 2006

4. IAEA-TECDOC-1375, “Determining the Suitability of Materials for Disposal at Sea under the London Convention 1972: A Radiological Assessment Procedure,” IAEA, October 2003

**K-054-006**

Thank you for your comment. As documented in this EIS, DoD acknowledges the existing sub-standard conditions of key public infrastructure systems and social services on Guam and the interest to have DoD fund improvements to these systems and services. DoD’s ability to fund actions is limited by Federal law. However, to minimize adverse impacts associated with the proposed military relocation program, DoD is leading a federal inter-agency effort to identify other Federal programs and funding sources that could benefit the people of Guam.

**K-054-007**

Thank you for your comment. Topics such as war experiences, war reparations, and veterans benefits are important issues but are not part of the proposed action. Comments related to these issues were numerous and indicate underlying social and political dissatisfaction with a broader range of federal-territorial relations outside the scope of DoD legal authority. The various EIS public engagement forums provided an indirect avenue for informing local and federal policy-makers of issues that are important to a significant segment of the community.

**K-054-008**

Thank you for your comment. Please see the Socioeconomic Impact Assessment Study (Appendix F of the EIS) for economic impacts that would be associated with the proposed action. Separate initiatives undertaken to improve Guam's economy may be beneficial, but, those

initiatives are not part of the proposed action and are not discussed in the EIS.



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Felix P. Camacho  
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Lieutenant Governor

16 FEB 2010

Joint Guam Program Office (JGPO)  
C/O NAVFAC Pacific  
258 Makalapa Drive, Suite 100  
Pearl Harbor, Hawaii 96860-3134  
Attention: GPMP

**Reference: Comments on the Draft Environmental Impact Statement/Overseas Environmental Impact Statement (EIS/OEIS), Guam and CNMI Military Relocation: Relocating Marines from Okinawa, Visiting Aircraft Carrier Berthing, and Army Air and Missile Defense Task Force**

*Hafa Adai!* Thank you for the opportunity to provide comments on the referenced Draft Environmental Impact Statement (DEIS). The military buildup proposed for the island of Guahan unprecedented in sheer size and magnitude that it will undoubtedly significantly impact and change the culture, environment, quality of life, and future of the island. Guahan's ability to effectively integrate the military expansion will determine the success of the island's growth and development for decades to come.

This cover letter summarizes our technical and policy concerns about the DEIS, and are detailed in the attached comment spreadsheets prepared by the staff and technical experts of the Government of Guahan instrumentalities. We are submitting these comments as the "affected official local government" in accordance with the requirements of the National Environmental Policy Act (NEPA). Please enter this letter and all the attachments submitted with it into the comment record.

Our purpose in submitting detailed comments is to ensure that the Department of Defense (DOD) has a full understanding of Guahan's concerns about the proposed military buildup and the DEIS. We believe that the DEIS is lacking in a number of areas.

Upon the signing of the "U.S.-Japan Alliance: Transformation and Realignment for the Future" in 2005, the U.S. Department of the Navy made representations to the people of Guam that the use of current U.S. Department of Defense (DOD) property on island would be sufficient to address the needs of the U.S. Marines Corps who would be relocated from Okinawa to Guahan by 2014. In a series of local meetings and media interviews, U.S. Navy and DOD officials including the Assistant Secretary for the Navy for Installations and the Environment, the Deputy Commander of the U.S. Pacific Command and the Executive Director of the Joint Guam

K-055-001

**K-055-001**

Thank you for your comment. DoD was required to determine whether military relocation requirements could be met by excess, underutilized or otherwise available property held by DoD on Guam. Early development plans attempted to keep all activities on existing DoD lands. However, as discussed in the FEIS (Volume 2, Chapter 2), after applying operational and environmental screening criteria, no contiguous DoD area on Guam was identified that could support all the land use and operational requirements of the action.

**K-055-001** Program Office made statements that stressed the need for military planners to maximize the current footprint that is U.S. Department of Defense properties on island-federal properties that encompass just over one-third of the total land mass on Guahan. The Government of Guahan recommends that the U.S. Navy keep all activities related to the relocation of the III Marine Expeditionary Force on the contiguous DOD properties in Northern Guahan.

**K-055-002** Plans for proposed firing ranges must be modified to insure that the community's needs are better accommodated. The Government of Guahan recommends utilizing the recently completed outcomes in the Marianas Islands Range Complex Exercise EIS to address joint-service needs for training in the Western Pacific. Additionally, the Government of Guahan recommends the use of current lands at the U.S. Naval Magazine in Sumay, Andersen Air Force Base and or Tinian by U.S. Marines to maintain situational awareness of military and terrorist activities in the Pacific Rim region.

**K-055-003** Land is Guahan's most important natural resource. The landscape of the island's 210 square miles has for centuries seen many changes. Since 1592, there has been much development and use from its early days following the discovery of Guahan by Ferdinand Magellan to becoming a part of the American family after the Spanish. But the process to protect the land has been challenged by a lack of firm land ownership laws that saw hundreds of parcels of raw land developed just after the Spanish American War in 1898. The mistakes of the past on the issue of land must not be repeated.

**K-055-004** The proposed dredging at near Polaris Point will compromise the ocean ecosystem in and around Apra Harbor. Any actions to remove Pacific corals indigenous to Guahan and relocate to another area near Guahan will threaten to compromise sea life and further compromise ocean resources in our Exclusive Economic Zone, valuable to the expansion of the local economy and the continued expansion of interisland commerce. The Government of Guahan recommends that the use of the fuel pier in Apra Harbor be used as an alternative site for a Carrier Strike Force Transient Berth. The use of this area is currently being used by U.S. Navy vessels and other Allied Forces ships stopping on Guahan for liberty, re-supply and sea-combat exercises in the Western Pacific. Expansions near the fuel pier would allow for the growth of surface shipping services and correlated marine industries in Guahan.

**K-055-005** Consistent with reports over the past two years by the Government Accountability Office, more federal funding must be provided to build the infrastructure in the community needed to accommodate the development planned by the Department of Defense. The military must strategically place funding sources in the areas of health, education and public safety to ensure that all mitigation plans related to the construction of facilities for the III Marine Expeditionary Force can be executed. While the island struggles with limited financial resources, the estimated tax revenues that will be created with the pre-construction, construction and implementation of the Guam Military Buildup Program will not be enough to finance the community's road, power, water and waste water infrastructure alone. The tax calculations included in the DEIS are unrealistic and insufficient. We have identified the magnitude of the revenue shortfall and we are working with the White House and the Department of Defense to identify how the difference will be overcome.

#### **K-055-002**

Thank you for your comment. The DEIS describes the intensive selection process that the DoD went through to select alternatives for the location of the firing range on Guam in Section 2.3.1.

#### **K-055-003**

Thank you for your comment. DoD acknowledges that the issue of land acquisition is a complex and sensitive issue, particularly related to prior acquisition of land in Guam by the federal government. Prior land acquisition policies and procedures are not reflective of current land acquisition laws and DoD policy.

Should DoD determine that additional land is necessary to meet its requirements, DoD policy requires that it negotiate with affected public and private land owners in good faith, seek agreements to acquire desired lands interests and pay fair market value. Where circumstances exist that require resolution of issues such as ownership or value, procedures exist under eminent domain authority to resolve those questions. Eminent domain requires reimbursement at fair market value.

#### **K-055-004**

Thank you for your comment. The EIS acknowledges there would be impacts associated with the proposed construction of a new deep-draft wharf in Apra Harbor to accommodate a transient nuclear powered aircraft carrier. Dredging is required to provide the minimum depth requirements to safely navigate the aircraft carrier. The DoD undertook several measures to avoid environmental impacts, including choosing a channel alignment that avoided dredging of coral shoals, reducing the aircraft carrier turning basin radius, and choosing a parallel to shore wharf alignment with a reduced clearance for the aircraft carrier. A detailed compensatory mitigation plan would be submitted as part of the Clean Water Act 404 permit application for construction affecting the navigable waters of the United States (including the CVN transient

**K-055-006** The length of the Guam Military Buildup Program must be extended. While the start date may not change, it is not feasible to complete what is planned in the timeframe prescribed. I have requested the Secretary of the Navy to extend the period of construction to make sure we reduce the congestion and disruption the plan, as written, will likely create. There is no need to force so much so quickly that we create problems that need not exist. An extension of the relocation of the III Marine Expeditionary Force to Guahan from Okinawa beyond 2014 as outlined in the Guam International Agreement signed in February 2009 ensures plans and financing are in place to fund port, highway and worker and military housing needs and prevents building or hiring to over capacity to avoid the "Boom/Bust" affect. Additionally, an extension of the Marine move beyond 2014; reduces the number of off-island workers needed at a given time to address the military buildup requirements as set in the Defense Authorization Act of 2009; reduces the severity of the impact on current power, water, and waste water resources; and levels the competition for construction manpower and materials ( aggregate, concrete, rebar, lumbar, etc.) that would compete for private and public sector capital improvement projects associated with regular organic growth of the island population.

**K-055-007** The Socioeconomic Impact Assessment Study (SIAS), an appendix of the 11,000 page document, lacks depth in critical areas of health care and social services, education, public safety, and sociocultural impacts; the inappropriate application of the Hawaii Input-Output Model in forecasting economic impacts for Guahan; and inconsistent and interrupted data collection and analysis methods. While the Government of Guahan struggled to participate in the DOD initiated process, the insufficiency of information and related results is speculative decision making at best.

**K-055-008** There was also a lack of depth in identifying ways to mitigate impacts such as:

- Changes in population;
- Changes in community demographics;
- Results of retail/service and housing market analyses;
- ..Demand for public services;
- ..Demand on Guahan's utilities;
- ..Demand on all of Guahan's transportation infrastructure;
- ..Demand for education services;
- ..Demand for health care and social services;
- ..Changes in employment and income levels;
- ..Changes in the allocation of fiscal resources to address the new demands that will be placed upon Guahan's government sector;
- ..Changes in the aesthetic quality of Guahan's community.

In order to meet its affirmative responsibility and avoid the need for consideration of an adverse impact determination, the Government of Guahan recommends:

- Sufficient mitigation is employed at the outset of the military buildup, and all phases, to avoid significant impacts;

wharf). Due to the ongoing review of DoD's habitat assessment methodology for coral reef ecosystems and associated uncertainties regarding the scope of mitigation required, a detailed mitigation plan has not been developed nor will one be available for incorporation into the FEIS. However, a number of mitigation options, including watershed restoration and the use of artificial reefs, are discussed in programmatic nature in Volume 4, Section 11.2 of the FEIS. DoD recognizes that, as part of the CWA Sec. 404 permitting process, additional NEPA documentation may be required to address specific permitting requirements and implementation of required compensatory mitigations. Section 2.3.1 of Chapter 2, Volume 4 provides a range of reasonable alternatives that were considered and dismissed from further analysis as well as the reasons why they were dismissed. After careful consideration of the alternatives based on the identified selection criteria, Polaris Point and the Former SRF were the only two wharf locations that met all of the selection criteria and are considered viable options for berthing the aircraft carrier. The suggested location - the fuel pier - located in the Delta/Echo Wharf vicinity, was considered and dismissed as described in Section 2.3.1. Because of the required security/force protection barriers around an aircraft carrier, Delta/Echo Wharves were dismissed because the required buffer zones around the carrier would obstruct harbor traffic. Additional text has been added to the FEIS to clarify these reasons.

#### **K-055-005**

Thank you for your comment. DoD continues to work closely with the Government of Guam on these important funding issues.

#### **K-055-006**

Thank you for your comment. DoD recognizes the importance of managing efforts in implementing the proposed military relocation to reduce adverse effects on the people of Guam, its natural resources and infrastructure. The EIS process identifies ways to implement the

**K-055-008**

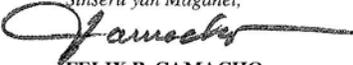
- Additional mitigation recommendations for the proposed buildup is requested because the preferred alternatives, under the proposed mitigation scenarios, do not truly lessen the significant impacts from the Government of Guahan's perspective;
- The Federal and local governments and community of Guahan work together to identify additional mitigation to further reduce the predicted impacts.

**K-055-009**

Innovative and creative solutions will be required in order for the military buildup to be declared successful by the DOD and the citizens of Guahan. We recommend quarterly meetings with all stakeholders to help strengthen an ongoing adaptive management process, allow for timely responses to changes that occur and their associated effects, provide for a foundation of cooperative solutions, and allow for the monitoring of all mitigation plans.

It is not the Government of Guahan's intent that this document is Guahan's single contribution nor should it be assumed that this document addresses all of Guahan's contributions to the NEPA process. Instead, this document highlights some of the key elements that were identified as important by the Civilian Military Task Force Subcommittees and Government of Guahan departments and agencies. We are aware that there are additional DEIS review comments that are being submitted by various Government of Guahan instrumentalities that are not included in the document. These comments must also be taken into consideration.

We look forward to continuing our relationship with the DOD and in partnering in developing mitigation solutions for inclusion in the final EIS and Record of Decision. Thank you again for the opportunity to provide comments on the proposed military buildup.

*Sinseru yan Magâhet,*  
  
**FELIX P. CAMACHO**  
*I Maga' Lâhen Guahan*  
Governor of Guahan

proposed relocation while minimizing adverse impacts. DoD will continue to work with the people and Government of Guam to ensure that the short term impacts of construction are managed effectively and that the long term effects of the military relocation reflect DoD policies to be good neighbors and responsible citizens on Guam.

**K-055-007**

Thank you for your comment. Our data has been checked per your comments and the appropriate edits made in the FEIS.

It is also noted that the EIS process provides information on environmental impacts (this includes the human environment); however, there is a limit to the specific details of the impacts because the information used is based on the continuation of existing trends and behaviors. While it is not an exact science, the EIS process along with the comments received provide information to the decision makers on the anticipated impacts of the proposed action. It is also noted that the Socioeconomic Impact Assessment Study (SIAS) discussed an unconstrained (maximal) scenario and a constrained scenario. The two scenarios represent a range of impacts that could occur should the proposed project be implemented under the current schedule. The SIAS is provided as Appendix F, Volume 9 of the DEIS.

**K-055-008**

Thank you for your comment. DoD has had ongoing discussions with Cooperating Agencies (those federal and local agencies with special expertise or regulatory oversight) throughout the preparation of the Draft EIS and has continued these discussions with agencies through the completion of the Final EIS. The DoD has also met with elected officials and community leaders.

DoN policy is to avoid impacts when possible and reduce impacts when avoidance is not possible. Mitigation measures proposed in this FEIS to

## Volume 2 Comments

### The Firing Range Alternatives

**K-055-010**

The alternative to locate the Firing Range for the Marines at the present Naval Facility at Finegayan on the west coast should be considered in Final Environmental Impact Statement analysis of this undertaking. This particular alternative was shown, and therefore considered, in the Guam Integrated Military Development Plan 2006. This alternative was taken out completely of the DEIS of November 2009. According to responses to the media by JGPO's Bice and Jackson, that alternative was removed in response to the government of Guam's concerns of the effect the range would have on the Charter Boat Fishing and boat traffic that traversed the area offshore of Naval facility at Finegayan, the proposed site for the Marine Cantonment. However, the Pagat Firing Range proposal was not even in consideration at that time. Therefore it seems that the JGPO response is putting the blame for selecting Pagat on the local government. Actually because the previously proposed Firing Range at Finegayan on the west coast was an alternative that was considered in the planning process this alternative should be further considered and compared to the other Firing Range alternatives on the east coast. This analysis should also include an explanation of why it was removed early in the planning process.

Because the Finegayan Range Alternative was not included in the DEIS we do not believe the DEIS is really looking at all reasonable alternatives to avoid adverse environmental impacts as required by the NEPA process. The adverse impacts of the Pagat/Sasayan Alternative may actually be more significant and not as able to be mitigated as the Finegayan alternative. Adverse impacts for the Pagat/Sasayan Firing Range Alternative include: 1. Increased traffic on local roads due to Marines having to travel to the training site from the main Marine Cantonment; 2. Loss of the Guam Raceway Park as a recreational area for the local population; 3. Denial of unimpeded public access to the Pagat Cultural Historic Site, and surrounding nature areas; and 4. The taking of Guam's public lands for a military activity. For the Finegayan Alternative the most we know at this time is that it may impact the fishing and charter boat community. That is because the DOD did not do an adequate job at analyzing it as a viable alternative.

**K-055-011**

#### **Vol 2, pg 2-46 – 2-47 Firing Range Boundaries**

The Buildup DEIS shows 2 firing range alternatives. They are both located in the same Pagat/Sasayan area on the east coast of Guam. The boundaries of the alternatives appear to be the same (Vol 2, pg 2-46 – 2-47). However, the designs of the ranges differ (Vol 2, pg. 2-63) and as a result the Surface Danger Zone (SDZ) differ in size significantly. Why then don't the boundaries of the proposed alternatives change to reflect the change in size? Is this an error or does DOD intend to occupy all the land including private property?

avoid or reduce impacts are updated based on public and agency comments. A comprehensive list of mitigation measures developed during the NEPA environmental review process is included in Volume 7, Chapter 2. Measures committed to by DoD would be identified in the Record of Decision (ROD) for the proposed action. Additionally, measures would continue to be updated and adopted in line with further agency consultation, permitting processes, and policy developments.

#### **K-055-009**

Thank you for your comment. The Final EIS includes additional discussion on adaptive management. Please see this updated discussion in Volume 7.

#### **K-055-010**

Thank you for your comment. The DEIS describes the intensive selection process that the DoD went through to select alternatives for the location of the firing range on Guam in Section 2.3.1. Specific reasons why the firing range could not be located on the west coast at Finegayan include the following. There was concern that the amount and location of submerged land that would be encumbered by the SDZs generated by the ranges on the west coast would be an unacceptable impact on recreational activities and traditional fishing areas, which are prevalent on the west coast. Secondly, higher density civilian development in vicinity of ranges increases risk of encroachment. Discussion on the screening process associated with the firing ranges has been clarified in the FEIS.

#### **K-055-011**

Thank you for your comment. The diagrams on pages 2-46 and 2-47 depict training facilities that would be located on the Andersen South Site and correspond to the live fire range alternatives shown on page 2-63. The Preferred Alternative A requires a rerouting of the existing Route 15

- K-055-012** | Vol 2, pg 10-16, -17, -19, 20 (598, 599, 601 and 602 dig)  
More specific vegetation and occurrence of species surveys digital GIS coverage files should be shared with GovGuam.
- K-055-013** | Vol 2, pg 11-3 Fig. 11.1-2  
50 meter isobathy line is inaccurate. The line obviously goes over shallower reefs.
- Volume 5 Comments**
- K-055-014** | Vol 5, pg 9.2, (104)  
“The primary users of these on-base recreational resources would be installation personnel, civilian workers, and their dependents. To shelter military on-base equipments and personnel, as well as to facilitate training operations, persons other than the described would not have access to, and use of, these recreational resources.”  
  
*Does this mean that local military persons, retirees, families & guests will have no access to recreational areas?*
- K-055-015** | Nevertheless, some crowding at the existing recreational resources (e.g., more people on trails, beaches, cultural sites) is expected as the result of the presence of the new population on base. Therefore, Alternative 1 would result in less than significant impacts to recreational resources at NCTS Finegayan.  
  
*“Some crowding” may actually be significant when total population increase on NCTAMs is considered. Mitigation of such impacts may include Management Measures to reduce impacts while still allowing the widest access to recreational resources, including for non-base personnel. This should be planned and implemented.*
- K-055-016** | There are no existing recreational resources at South Finegayan. Consequently, there would be no impacts on recreational resources from construction. Therefore, Alternative 1 would result in no impacts to recreational resources at South Finegayan  
  
*The statement is most likely false as there are existing recreational resources at South Fin, though under utilized at this time. This included a trail to Hilaan from the area which may be private property now but if leased by military should be opened for use. It also includes wide open areas, as in other similar areas in this DEIS that are passive recreational activities such as for walking and hiking. Many local people currently take advantage of these areas.*
- K-055-017** | Vol 5, pg 9.3, (105)  
An increase in the number of golfers could potentially lead to reduced availability of tee times at the golf course. Therefore, Alternative 1 would result in less than significant impacts to recreational resources at Navy Barrigada.

roadway to provide sufficient space to allow for live fire range construction, with the largest requirement being 1000M for the Multi-Purpose Machine Gun Range. Alternative B keeps Route 15 in its existing location but requires additional land for the location of the 1000M Multi-Purpose Machine Gun Range. The Multi-Purpose Machine Gun Range has the largest Surface Danger Zone Requirement. The Surface Danger Zone provides a buffer area to ensure public safety. In Alternative A, the other live fire ranges can overlap their Surface Danger Zones with the Machine Gun Range and therefore less total area is required under this option. In Option B, the Machine Gun Range is sited to the south of the other ranges and therefore there is much less overlap of Surface Danger Zones and therefore a larger total space requirement. All land encompassed by the ranges and their associated surface danger zones will be acquired through negotiated purchase or lease by the Department of Defense.

**K-055-012**

Thank you for your comment. Requests for GIS information should be made to:

Vanessa E. Pepi  
Supervisory Fish and Wildlife Biologist  
Naval Facilities Engineering Command, Pacific  
EV2 Environmental Planning  
258 Makalapa Drive, Suite 100  
Pearl Harbor, HI 96860-3134  
Tel: (808) 472-1406  
E-mail: [vanessa.pepi@navy.mil](mailto:vanessa.pepi@navy.mil)

**K-055-013**

Thank you for your comment. The figure uses the latest NOAA bathymetric data; however, the figure is under review and has been revised as appropriate for the FEIS.

**K-055-017** | *This appears to be a contradictory statement in that it states "reduced availability will result" but it is a "less than significant impact". Seems to be a boiler plate statement throughout the DEIS which brings in to question the analysis of other portions of the DEIS. An attempt at actually quantifying actual impacts would be useful. Could the increased population of golfers result in loss of privileges for retired local military in the future?*

**K-055-018** | **Vol 5, pg 12.2, 12.2.1.2 Determination of Significance**  
Paragraph 3 refers to a PA or Programmatic Agreement with all agencies involved. Other than the Local SHPO have other local "Participants" to the PA process been consulted? Especially with regards to the Pagat site. There is a requirement for such consultation under the 36 CFR 800.2 Participants in the section 106 Process. If not then they should be consulted immediately.

**K-055-019** | **Vol 5, pg 13.3 (153 dig) para Alternative 1 Potential Mitigation Measures**  
*These mitigation measures should be incorporated throughout the project. In addition to retention of mature native forest species planting of such species lost to construction in areas suitable for long term survival should also be a mitigation measure of the project. This is addressed on pg 13.9 mitigation measures.*

*Vol 5, pg 18-4 (196 dig)*

**K-055-020** | *"Because corresponding increases in GPD personnel are anticipated to occur to maintain existing service conditions, no impact to police service are anticipated."*

The statement implies there will be a corresponding increases in police, also fire and other GovGuam personnel to handle increased Public Health and Safety issues. Is this expected increase to be funded entirely by GovGuam through expected increases in tax revenue increases? There will probably be lag time before increased tax revenues are realized. How will the gap in such services be handled? This period will be critical as there will be a significant increase in population. Will DOD pay for the initial few years of increased personnel costs associated directly with the buildup until revenues catch up? The less than significant impact are not accurate unless additional resources are provided to GovGuam for the gap period and spelled out in the mitigative measures.

*Vol 5, pg 18-4 (197 dig)*

**K-055-021** | *"There is only a small potential for increases in notifiable diseases (including construction workforce contribution) and the Navy hospital would be available to treat military personnel; therefore, Alternative 1 would result in less than significant impacts to public health and safety (from notifiable diseases)."*

Though anticipated as small for this portion of the buildup, the cumulative effects of the buildup may result in significant impacts to public health and safety (from notifiable diseases). How does DOD intend to assist in addressing this potential adverse effect to

#### **K-055-014**

Thank you for your comment. Present and retired military personnel, their dependents, and guests would be permitted to access installation resources.

#### **K-055-015**

Thank you for your comment. One of the mitigation measures proposed is for a recreational resource carrying capacity study and resource management plan to be conducted. Data gathered for the carrying capacity study would be used to form a baseline (i.e., capacity for a recreational resource) and appropriate mitigation measures would be determined in the resource management plan.

#### **K-055-016**

Thank you for your comment. The EIS has been revised.

#### **K-055-017**

Thank you for your comment. An increased permanent population near the golf course (sole recreational resource at Navy Barrigada) may bring more users (i.e., walk-ons) as the result of the proposed action. Reduced availability of tee time, by retired and current military personnel would likely result. To alleviate this impact, a wide range of recreational alternatives on Main Cantonment would be available. The EIS has been revised.

#### **K-055-018**

Thank you for your comment. In compliance with the National Historic Preservation Act, DoD is consulting with the public and interested parties such as the Advisory Council on Historic Preservation, Guam State Historic Preservation Officer, CNMI Historic Preservation Officer, the National Park Service, Guam Preservation Trust, National Trust for Historic Preservation, Guam Museum, Department of Chamorro Affairs,

**K-055-021** | the local populace? Considering the already stretched health resources from previous Federal actions (Compact with FSM) will additional funding be provided to hire adequate health personnel for the construction surge or will GovGuam and the local population be expected to deal with the additional burden? This also includes the other public health and safety categories in this entire section. The less than significant impact determinations are not accurate unless additional resources are provided to GovGuam for the gap period and spelled out in the mitigative measures.

**Note: The above statements apply to all alternatives in this public health and safety section with the exception of the no-action alternative.**

**Vol 5, pg 18-4 (197 dig) 18.2.6 Summary of Impacts**

The summary of impacts as LSI in this section related to public health, safety and mental illness is considered invalid based on previous statements above on the section. When considered as a part of the whole buildup project the cumulative effects may be considered significant without more mitigation measures.

**K-055-022** | It appears that this part of the buildup meets the criteria of Environmental Justice section, "Whether the action is related to other actions with individually insignificant but cumulatively significant impacts. Significance exists if it is reasonable to anticipate a cumulatively significant impact on the environment. Significance cannot be avoided by terming an action temporary or by breaking it down into small component parts." This appears to be the smaller component part of the buildup.

**Volume 6 Comments**

**K-055-023** | **Pg. 8-14 to 8-42 Related Actions Roadway and Utilities**  
There is No Map to relate the areas listed in potential noise impacts to alternatives and regions examined. This would be extremely helpful in analyzing impacts. This should be provided.

**K-055-024** | **Pg. 8-45 Para. 2**  
Nothing is said about the potential impacts the sound walls may have on movement of people from residential areas to roadways to cross to the other side and other potential effects. Provide such analysis and potential mitigation measures.

**K-055-025** | **Pg. 10-9 Operation**  
The DEIS proposes a new sewer on non-DOD land which is an can be assumed an adverse impact especially if the land is being taken for a utility easement without just compensation. Even then it may also still adversely affect a landowners plans on using property. The paragraph proposes "utility easement acquisitions". Does this mean DOD will purchase the Land from non-DOD owner? If so, this should be more explicitly stated and what other mitigation measure may be employed.

**Pg. 10-10 Para. 2**

individuals and other organizations. Ten public meetings on three islands were held to engage the citizens of Guam and CNMI on historic preservation issues. The results of these meetings were solidified in the PA.

**K-055-019**

Thank you for your comment. Forest plantings and additional ecological reserves to better manage remaining forests on Guam have been added as mitigation measures.

**K-055-020**

Thank you for your comment. Volume 5, Chapter 18 discusses the potential public health and safety impacts of as a result of population growth associated with the Army AMDTF. Based on the small buildup associated with the Army AMDTF, less than significant impacts are anticipated to police services. Potential cumulative effects of the Army AMDTF action with other build up actions is addressed in Volume 7. Volume 2, Section 16 discusses possible measures that the DoD could take to support increased staffing of required positions. The EIS does not identify specific funding sources.

As documented in this EIS, DoD acknowledges the existing sub-standard conditions of key public infrastructure systems and social services on Guam and the interest to have DoD fund improvements to these systems and services. DoD's ability to fund actions is limited by Federal law. However, to minimize adverse impacts associated with the proposed military relocation program, DoD is leading a federal inter-agency effort to identify other Federal programs and funding sources that could benefit the people of Guam.

**K-055-021**

Thank you for your comment. Volume 5, Chapter 18 discusses the

**K-055-025** | The statement that “Basic alternatives 1a & 1b would result in LSI to land use because the acquisition of new utility easements on non-federal land” is flawed. Land use by non-DOD landowners could be constrained by severing their properties in way that hampers use of their land. The preceding paragraphs mitigation measures should be employed and this statement removed.

**K-055-026** | **Pg. 10-13 Para 1 & 4**  
Four non-residential and 51 residential units will be relocated by roadway impacts associated with the military buildup. Where are these areas or units? It is not shown. Have the owners been notified of this possibility? This is a significant impact and should be mitigated. Provide map and put more explicit statement regarding this adverse impact of the undertaking.

**pg 4-12 (254 dig) Roadways**

**K-055-027** | It should be mentioned here and in the recreational impact sections that Andy South roadways from route 1 have become extremely popular walking/running exercise route for local residents for many years. The same can be said for the old road to the FAA housing in Dededo and Navy Barrigada roadways through the housing by the golf course. How can the military mitigate or replace the loss of this recreational resource which locals have come to depend on and utilized for many years or can the use remain as is and sanctioned as acceptable use?

**VOL. 7 Comments**

**K-055-028** | **Pg. 2.4 Stormwater Management Plans – Item 2**  
Make use of Filtration of Stormwater through plant and organic filtration methods more of a priority.

**K-055-029** | **Pg. 2.6 Low Impact Dev: (LID)**  
Says “the Navy could implement LID design technology”. Due to the size of the proposed development the utilization of LID should be implemented as much as reasonably possible.

**K-055-030** | **Pg. 2.6-7 Water conservation**  
Education of Military population should be given a high priority as this may be key to water conservation.

**K-055-031** | **Pg. 2.10 Munitions and Explosives of Concern**  
Nothing is said about how the proposed impacts of the firing range on the Naval Mag and Pagat area will be mitigated. We are assuming dirt terms will be utilized to catch rounds fired for all types of weapons but this is not mentioned. How will stray rounds be dealt with? Will there be occasional search and clean up for these?

Will munitions of the type that fail to explode after launch be utilized eg. Mortar or rocket propelled grenades? What happens if they do not explode?

potential public health and safety impacts of as a result of population growth associated with the Army AMDTF. Based on the small buildup associated with the Army AMDTF, less than significant impacts are anticipated to public health and safety. Volume 5, Chapter 16 discusses the potential impact of an increased patient to health care provider ratio as a result of population growth associated with the Army AMDTF.

Incoming populations (such as the induced population [potentially the FAS population] during the operational period) would likely have dependents that would attend the Guam public school system and seek out Guam social and medical services. The benefits to the community that the base is located within, consists primarily of money that the new population provides to the local government from taxes, licenses, and fees. This money would go to the government's revenues. The executive and legislative branches of the government can then fund social, cultural, health, and other programs they feel are needed to benefit Guam.

**K-055-022**

Thank you for your comment. Due to the complexity of the project, there are two parts of the cumulative impact analysis: the summary of impacts for all components of the proposed action (Volume 7 Chapter 3) and an assessment of the additive impacts of the proposed action in combination with other past, present and reasonably foreseeable projects (Volume 7, Chapter 4). A systematic methodology was applied in both analyses.

Volume 7, Chapter 3 summarizes the combined potential impacts of all of the preferred alternatives on Guam and Tinian. The impacts of Volumes 2 through 6 are discussed by resource. At the end of Volume 7, Chapter 3.3 there is a table summarizing the combined impacts of all long-term (operational) components of the preferred alternatives. Significant impacts are identified. Trends in the resource

<b>K-055-032</b>	<b>Pg. 2.10 Land Use Planning and Project Design</b> Incorporate green infrastructure concepts into the Land Use Planning Design Process. For example, preserve green belts to connect core natural resource areas. This also applies to Natural Resource Management in next section of BMP.
<b>K-055-033</b>	<b>Pg. 2.16 Noise Abatement</b> "Berms could be built and adjacent to live Fire Training Ranges". Shouldn't berms be built as part of firing range design to contain rounds from small arms rounds? If they also serve an effective method of controlling noise then they should also be placed where most effective.
<b>K-055-034</b>	<b>Pg. 2.19 Reduced Use of Water</b> Education of military personnel and families cited in the previous BMP section is left out here. This should be part of the strategy.
<b>K-055-035</b>	<b>Pg. 2.21 Water Resources within DOD Control</b> WR-3 "Attempt to avoid impacts to potentially jurisdictional cave and pool systems." Advance of impacts to such resources should be taken irregardless of who has jurisdiction to them.
<b>K-055-036</b>	<b>Pg. 2.21 Air Space</b> No mitigation measures?
<b>K-055-037</b>	<b>Pg. 2.21 LU-2</b> Mitigation should incorporate green infrastructure into Land Use Design Plans
<b>K-055-038</b>	<b>Pg. 2.21 Recreational Resources within DOD Control</b> Open public access to recreational resources such as Breakwater to Magandas (surf & fish) within DOD Control, Mt. LamLam/ Jumulong Manglo
<b>K-055-039</b>	<b>Pg. 2.22 RR-5</b> The potential impacts to sailing and other water sports by the carrier visits is not addressed here. How can those impacts be reduced?
<b>K-055-040</b>	<b>Pg. 2.22 Terrestrial Biological Resources within DOD</b> TB-7. With local resource and rec agencies and groups that utilize these areas should be consulted/involved to develop any future restrictions. Stakeholder input! For example any restrictions to fishing in the ERA will have an impact on the local fishing community.
<b>K-055-041</b>	<b>Pg. 2.22</b> TB-11 The scheduling for the Fire Management Plan should have local input for the new proposed areas if implemented. Public Access to cultural and geological resources at Pagat are important.

health on Guam and Tinian since World War II are described. This section includes limited quantitative data for proposed action impacts. For example, special-status species habitat loss due to the proposed action and current amount of habitat available island wide is presented in Volume 7, Section 3.3. There is no quantitative island-wide data readily available for most of the resource areas assessed and the impact analysis is often qualitative.

Volume 7, Chapter 4, Cumulative Impacts, assesses the potential additive impact of the EIS proposed actions when combined with potential impacts of other past, present and reasonably foreseeable future actions. The period of consideration for the cumulative impact analysis is 2004 to 2019. The project list is based on best available information from DoD and the Guam Land Use Commission database. There is no National Environmental Policy Act (or similar) document disclosing project impacts for most of the cumulative projects listed; therefore, there is insufficient data on most cumulative projects listed to conduct a quantitative impact analysis. In Chapter 4 a table summarizes the potential cumulative impacts on Guam and another table summarizes the potential cumulative impacts on Tinian. Potential additive cumulative impacts are identified for a number of resources. Mitigation measures are proposed earlier in the EIS. The cumulative impacts analysis has been expanded in the FEIS, including the addition of climate change analysis and analysis of cumulative impacts to coral.

**K-055-023**

Thank you for your comment. As indicated in Volume 6, Chapter 8, for the north region, the impacted noise-sensitive receptors are shown in Appendix G-2. Appendix G-2 was inadvertently excluded from the DEIS and will be included in the FEIS.

**K-055-024**

Thank you for your comment. Soundwalls are designed not to infringe

<b>K-055-042</b>	<b>Pg. 2-23 Terrestrials Biological Resources within DOD</b> TB-24 Any establishment or expansion of ecological reserves should involve local resource agency consultation and input.
<b>K-055-043</b>	<b>Pg. 2-23</b> TB-29 Incorporate green infrastructure concepts.
<b>K-055-044</b>	<b>Pg. 2-23-24, CR-1 – CR-8</b> As much as reasonably possible site names should be used to identify sites to make the connection to the cultural places.
<b>K-055-045</b>	<b>Pg. 2-28 Socio Economics and General Services within DOD</b> SE-1 This mitigation measure should really be explored and implemented as it may reduce adverse effects of such a significant increase unpopulation on such a short time frame. Military planners themselves have admitted that the time frame for this project is to aggressive.
<b>K-055-046</b>	<b>Pg. 2-28, SE-3</b> This is definitely a mitigation measure that DOD should implement. Direct support through funding for pursuing such funds should be part of the assistance.
<b>K-055-047</b>	<b>Pg. 2-28, SE-10</b> Education should include other migrant worker ethnic groups, that comprise the build-up workforce.
<b>K-055-048</b>	<b>Pg. 2-33</b> Adaptive management techniques should be considered for some of the Natural Resource management concerns. For example Terrestrial and Biological Resource Mitigation measures may need to be adjusted to fulfill the goals of mitigation.
<b>K-055-049</b>	<b>Pg. 2.44, Para 2.</b> Yes to taking into consideration recent weather trends, forecasted weather patterns, and known seasonal variations in the forecast for water supply.
<b>K-055-050</b>	<b>Pg. 2.48, 2.3.5.3</b> Potential impacts and mitigation Para 1, This area of NDWWTP is heavily utilized for fishing and recreation. Any delays in mitigation measures to reduce impacts would have a significant effect on socio-economic uses by the local population. Priority should be high in addressing the impacts of this shortfall and to adequately address the potential for water quality degradation.
<b>K-055-051</b>	<b>Pg. 2.49</b> Bullet points 3 & 4 to divert wastewater to other treatment plants. What is the capacity of those other treatment plants? Are these mitigation measures realistic based on the capacity of those other plants?

on roadway intersections which are the locations where people typically cross streets. Also, soundwalls are designed not to block driveways with direct access to the road. Most of the soundwalls would be located at areas between the road and residential backyards. Most of these backyards have property fences and ditches that would prevent pedestrian road crossings even if the soundwalls were not built. Furthermore, during design phase, other factors such as views of impacted residence or recreational areas would be taken into consideration in determining the most appropriate noise abatement measures.

**K-055-025**

Thank you for your comment. There are two alternatives for wastewater that require new sewer lines: Alternative 1a and Alternative 1b. Alternative 1a sewer line alignment is within federally-controlled land or follows an existing GWA sewer alignment (Volume 6, Figure 2.3-2). Alternative 1b sewer line would be aligned along Route 16 within the existing GWA right-of-way (Volume 6, Figure 2.3-3). No new easements are required for either alternative. The Final EIS land use section is updated with this information.

**K-055-026**

Thank you for your comment. The Department of Defense (DoD) and the Federal Highway Administration (FHWA) acknowledges that the issue of land acquisition is a complex and sensitive one. Negotiations with landowners have not yet begun because a final decision on whether or not land will need to be acquired will not be made until the Record of Decision and until funding has been identified to improve the off-base roads.

Should the Department of Defense (DOD) or the Federal Highway Administration (FHWA) determine that additional land is necessary to improve off-base roads to meet its requirements, the FHWA policy

<b>K-055-052</b>	Bullet Point 5 to utilize a cruise ship or hotel barge for construction workers. Has this mitigation measure been well throughout? The waste from the ship or barge will still have to be treated and sent to a plant. There are also other impacts of this mitigation measure.
<b>K-055-053</b>	<b>Pg. 2.56, 264.8 Marine Biological Resources</b> Consideration should be made for seasonable changes to construction tempo for the wet/dry season. Less ground disturbance the wet season could result in less erosion and sedimentation from runoff.
<b>K-055-054</b>	<b>Pg. 3.3, 3.3.2 Geological &amp; Soil Resources</b> A less than significant impact for Topo, Geology, Soils and Geologic Hazards is given here including Finegayan in Table 3.3.1. However, para 1 does say that there will be significant impact at Finegayan. The Geologic Map and sections of Guam, Marianas Is. 2007 shows thrust faults and limestone with cavernous and generally porous limestone in Finegayan. What is the correct determination of effects? It seems to us that significant effects of the project will result with potential adverse effects to groundwater and nearshore coastal resources.
<b>K-055-055</b>	<b>Pg. 3.7 Water Resources 3.3.3.1., Table 3.3.5</b> Groundwater impacts are said to be less than significant (LSI) in this table in direct contradiction to the previous page 3.6 which says "increased groundwater production could potentially impact cave and pool water levels; potential impacts to the system could require review and/or permitting by U.S. Army Corps of Engineers. Local water engineer at UOG/WERI should also be funded for an independent review.
<b>K-055-056</b>	<b>Pg. 3.33, Table 3.3-25 Summary of Preferred Alternatives Constr. Impacts-Marine Biology</b> Marine Flora and Invertebrates under the Navy Aircraft Carrier proposed undertaking is a LSI. How can that be? Please explain further as we disagree that it is a LSI.
<b>K-055-057</b>	<b>Pg. 3.39 Special Status Species Para. 3.</b> With regards to the hawks bill turtle, I believe there are more in our waters than described here. They are also known to frequent Apra Harbor and many have been sighted by recreational Water Craft. (Sailing vessels). Possibly due to no mechanized engine sounds.
<b>K-055-058</b>	<b>Pg. 3.4, 3.3.2.2 No Action</b> Much of the discussion here focuses on the geology and soils of southern Guam and not the type of geology of where the main marine cantonment will be. This should be addressed. The geology of Northern Guam especially where the Marines will be located should be the focus of any description.
<b>K-055-059</b>	<b>Pg. 3.65, 3.3.15.4 Comparison of Preferred Alternatives to No Action</b> It is said in Paragraph 1 that the "preferred alternatives would be felt on an island-wide basis and would be characterized by a sharp increase in activity and impacts (both

requires compliance with 42 United States Code Chapter 61 - *Uniform Relocation Assistance and Real Property Acquisition Policies for Federal and Federally Assisted Programs*. This regulation establishes a uniform policy for the fair and equitable treatment of persons displaced as a direct result of projects undertaken by a Federal agency or with Federal financial assistance.

This policy requires that the FHWA make every reasonable effort to acquire expeditiously real property by negotiation. The amount offered by the FHWA will be no less than the FHWA approved appraisal of the fair market value of such property. Where circumstances exist that require resolution of issues such as ownership or value, procedures exist under eminent domain authority to resolve those questions.

**K-055-027**

Thank you for your comment. As mentioned in your comment, jogging or running on former FAA parcel and Andersen South would no longer be allowed as the result of the proposed action. Mitigation measures to decrease the magnitude of the impacts, in this case, the loss of jogging/running use on these properties, is not offered in the EIS because it is believed that equivalent uses can be found on adjacent properties.

**K-055-028**

Thank you for your comment. As part of LID and SWPPP planning, proven methods for reducing potential impacts from stormwater were considered and would be implemented as appropriate.

**K-055-029**

Thank you for comment. Incorporation of LID principles has become a DoD policy requirement.

**K-055-059**

positive & negative) in the 2012-2015 timeframe". All the Public Service Impacts starting on Pg. 3-60 all point to a need to increase the local governments staff in various agencies to address the Buildup. However, nothing is said about how the military will attempt to assist in handling this increase load. The lag time between when revenues start to increase to when the GovGuam can start hiring additional personnel will result in a chaotic situation where many services will not meet need. This needs to be addressed more fully especially with regards to how the potential adverse impacts by the shortfall will be mitigated.

**K-055-030**

Thank you for your comment. DoD concurs and would ensure water conservation education is provided to all DoD personnel.

**K-055-031**

Thank you for your comment. The DoD and regulatory agencies are equally concerned about protecting the public from munitions and explosives of concern (MEC) which include unexploded ordnance (UXO). Refer to Volume 9, Appendix D, Project Description Technical Appendix, Munitions, for a discussion of the MEC associated with the proposed ranges (mostly small arms).

The proposed ranges will be designed and maintained in accordance with all applicable federal and Government of Guam regulations. Specifically, Military Handbook 1027/3B contains procedures for reducing potential impacts from ranges through the implementation of best management practices (BMPs) described in Volume 7. Key BMPs as they relate to UXO include controlling access to the firing ranges, public education initiatives, and routine clean-up of UXO on the firing ranges.

**K-055-032**

Thank you for your comment. The best management practices (BMPs) Table 2.1-1 in Volume 7 lists Leadership in Energy and Environmental Design (LEED) and the Navy's goal of LEED silver certification. Other BMPs listed include Low Impact Development and a Water Conservation Plan. These BMPs incorporate green infrastructure into the design.

**K-055-033**

Thank you for your comment. Two types of berms are proposed in the FEIS. Noise control berms at or adjacent to the firing line, and collection berms behind targets to contain the projectiles.

Vol	CH	Pg	Link tbl to	Issue	Comment
K-055-060			Apx F.		Disaster related mass sheltering not addressed in DEIS. Increase in population will further stress the current disaster related mass sheltering system rendering it inadequate. Recommend that more sites be identified or multiple use structures be constructed to mitigate the increased need accordingly in relation to anticipated population increase.
K-055-061		16	Apf F,Para 1		FAS Citizen in migration will increase. Page 44 of Appendix F also recognizes that FAS Citizens seeking employment on Guam would eventually send for family members. This increased in migration of FAS citizens will create an increased burden on the public assistance programs such as assistance for food and housing. The availability of public housing units will not be sufficient to assist these incoming FAS citizens as well the section 8 program may not have enough vouchers to accommodate the needs of the island. The federal government provides funding to Guam to service these FAS citizens however the periodic evaluations performed to determine the funding Guam should receive does not currently occur close enough to properly compensate the Government of Guam for funds expended to provide services to these FAS citizens. Recommend DOD work with the Department of the Interior and other pertinent agencies such as HUD to increase the frequency in which Guam's funding requirements to service FAS citizens is evaluated and to request an increase in HUD funding to increase the number of available public housing units to meet the greater demand that will be a result of the military buildup. The Government of Guam cannot subject a federal contractor that is specifically working on military installations grounds to the Guam Contractors Licensing Board requirements ; however an opinion (CLB 93-0543) by the Attorney General of Guam clearly states that they must first obtain a business license prior to doing "any" work on Guam. Additionally for Contractors working directly with the Federal Government specific to military installations; the Attorney General's Office has also stated that the jurisdiction over addressing alleged violations, consumer complaints, and contractor to contractor disputes etc. fall under the purview of the Federal Government. □
K-055-063		3-8	38		Correction: GMHA manages a 220,000 sq. ft. Hospital, vloe 22,000 sq. ft.
K-055-064		3-6	39		On an average day, GMHA "cares for" (strike sees) approximately 140 "acute care" patients, which means GMHA is averaging a 90% hospital-wide acute care occupancy.

#### K-055-034

Thank you for your comment. DoD concurs and would ensure that water conservation education is provided to all its personnel.

#### K-055-035

Thank you for your comment.

#### K-055-036

Thank you for your comment. The FEIS was updated to include airspace mitigation for the establishment of the proposed SUA for training.

#### K-055-037

Thank you for your comment. Please see response to K-055-032.

#### K-055-038

Thank you for your comment. DoD understands and recognizes the significance of cultural and recreational sites located on DoD property in Guam. Restricting access to certain DoD areas at certain times is required to maintain public safety. It is the intent of DoD to maintain public access to DoD lands that contain cultural sites consistent with safety and operational requirements. Access will be granted at approved times such as when the lands are not being used for military training. Final plans concerning access to sites potentially impacted by the proposed action have not been developed. DoD looks forward to working with stakeholders to develop plans for cultural stewardship and access that balances operational needs, public safety concerns, and the continuing public use and enjoyment of these sites.

#### K-055-039

Thank you for your comment. Potential impacts, including mitigation measures, caused by the proposed carrier visits are discussed in Volume 4, Section 9.2.2.2 and 9.2.3.2.

IGL	Chap	Fig	Para	Issue	Comment
K-055-065	2	8-8-3		Non-Federal Land Management	DEIS gives a different definition of Guam's political status: Correction - Guam is an "unincorporated territory". Congressman is (a non-voting) elected representative to Congress. Although, the U.S. places Guam under the Office of Insular Affairs, the DEIS is remiss in stating that the U.S. through a U.N. Treaty in Dec. 1947 placed Guam into the list of Non-self Governing Territories awaiting decolonization through an act of self-determination by the people of Guam.
K-055-066			Para 3		DLM & GALC are separate Departments with different mandates & missions.
K-055-067	2	8-8-4		DEIS claims that land/submerged under federal jurisdiction is excluded from the territorial coastal zone.	CZMA policies are consistent for both jurisdictions - Please verify or clarify
K-055-068	2	8-8-5		Submerged lands ownership & use	Note - Guam law proclaims ownership to include the EEZ pursuant to Public Law 15-114.
K-055-069	3-6	Fig. 8-1		Submerged lands ownership & use	Submerged properties in the North Ritidian Point belong to the Government of Guam pursuant to a Quitclaim deed, Doc. # 661952 Recorded on 8-29-02 containing 15,571.00 acres (Refer to GALC records).
K-055-070	2	8-8-14-72		Non-DOD Parcels Relevant to Proposed Action and Alt. 1-5	DEIS indicates DOD interest in Non-DOD lands; FAA/Anderson South; Guam Ancestral Lands Commissions state that both parcels are Trust lands currently in process of lease negotiations with bid winners of an RFP issued in 2008.
K-055-071	2	8-8-20		Jurisdiction of roadways.	DEIS states that access to Route 3-A onto Non-DOD lands are under an agreement between landowners. GALC asserts that Route 3-A access to non-DOD lands by families of Urunao, Lihelkan and Inapean have always used this same road since the Spanish times on up to the Naval Government time. The Government of Guam also recognized this right of access that they eventually codified it in the 90's with Guam's Public Law 22-111 where Government of Guam continues to maintain jurisdiction to Route 3-A as a public road. (refer to GALC records).
K-055-072	2	8-8-61-69		Firing range & limited access to Historical sites	GALC claims that the act would impact field trips for educational purposes by various schools to those historical sites.
K-055-073	2	8-8-61-63		Firing range & limited access to Historical sites	The restriction on Non-DOD submerged properties because of the firing range is an indirect "taking" and would adversely affect traditional fishing within the area.
K-055-074				Accessibility to Attractions- Historic, scenic sites	Public access to cultural, historic, and scenic sites, including both Scuba and underwater vessels (Atlantis Submarine) are critical to Guam's competitiveness in the international tourism market. The impact on tourism must be discussed further.

#### K-055-040

Thank you for your comment. Proposed changes to access would be addressed through the Integrated Natural Resources Management Plan and be consistent with the installation access requirements.

#### K-055-041

Thank you for your comment. Local input will be obtained for the fire management plan update.

#### K-055-042

Thank you for your comment. The DoN will work with local resource agencies on the establishment or expansion of ERA's through the Integrated Natural Resources Management Plan.

#### K-055-043

Thank you for your comment. To respond efficiently to your comment we would need more specific information as to what you would like to see included.

#### K-055-044

Thank you for your comment. Site names will be added to the site numbers where available.

#### K-055-045

Thank you for your comment. During the DEIS comment period many recommendations for mitigation measures were received; subsequently, an expanded mitigation discussion is provided in the FEIS.

#### K-055-046

Thank you for your comment. Expanded mitigation discussions have been included in the FEIS.

Yr	Ch	Pg	Comp. Tab. Num.	Issue	Comment
K-055-075				Accessibility to Attractions- Historic, scenic sites	Public access to cultural, historic, and scenic sites, including both Scuba and underwater vessels (Atlantis Submarine) are critical to Guam's competitiveness in the international tourism market- DOD should fund or consider installing additional near-shore mooring buoys to open up new dive and water recreation locations. This will offset some of the restrictions placed in currently popular dive sites like the Blue Hole and the Crevice off the Oroto Peninsula.
K-055-076				Accessibility to Attractions- Historic, scenic sites	Public access to cultural, historic, and scenic sites, including both Scuba and underwater vessels (Atlantis Submarine) are critical to Guam's competitiveness in the international tourism market- DOD must assist in the development of alternate recreation sites for public and visitor use including best use of dive sites, including intensified QOL in the north to abate use of southern sites. C
K-055-077				Ground, air and sea military training exercises are an important aspect of the buildup, and require close collaboration for safety and scheduling of public facilities	DOD Must schedule, to avoid peak seasons when the industry must maximize income to make up for lower off season revenues. Scheduling also allows the government and inbound TDY personnel to benefit from the island's low season pricing structure.
K-055-078				Increased military personnel and build-up related visits may task hotel room availability, especially during peak seasons. Also, average revenue per room erodes due to military discounting.	Apply the current 11% Guam hotel occupancy tax to military and federal travel at the island's hotels to prevent shortchanging Tourist Attraction Fund (TAF) revenues badly needed to sustain Guam's destination development and marketing efforts.
K-055-079				Crime associated with military personnel off base	Increase military shore patrol presence along Guam's tourism center, San Vitores Road. This should be jointly patrolled with Guam Police Department sharing resources such as: communication channels, Custody holding areas, and patrol vehicles
K-055-080				Staffing for GPLS	Additional staff would be required to be hired to provide adequate library services to the entire island community, both the civilian and military.
9			App C		Update GPLS Key Staffing Numbers to 32 key staff numbers.

#### K-055-047

Thank you for your comment. The impacts on the Guam public school system are discussed in subsection 4.4.2, page 4-42 of the SIAS. Table 4.4-4 in the SIAS provides the potential increase (maximal) of student population in the Guam Public School System from 2010 to 2020. Providing a brief summary, at the peak population year (2014), a total of 7,937 students could attend the public school system; by 2017, when the operational (long-term) conditions occur, the students generated could be 909. This is based on the direct and indirect (induced) populations resulting from the military relocation which include the dependents of off-island workers.

#### K-055-048

Thank you for your comment. The discussion of adaptive program management and its use during the proposed military relocation program has been revised in the FEIS (Volume 7, Chapter 2), including further identification of the resource areas that would benefit from implementation of the measure.

#### K-055-049

Thank you for your comment.

#### K-055-050

Thank you for your comment. Mitigation measures that are part of the Record of Decision of the EIS for the proposed military relocation program would be implemented as part of the proposed actions. The intent of the adopted mitigation measures would be to reduce adverse impacts associated with the proposed military relocation program.

#### K-055-051

Thank you for your comment. The two plants in reference are Hagatna

WWTP and Apra Harbor WWTP. The capacity of Hagatna is 12 mgd and Apra Harbor is 4.3 mgd.

<p><b>K-055-081</b></p> <p>Vol. 2, Chap. 16</p> <p>16.37</p> <p>16.1.6.5</p>		<p>The 2007 Guam Chamber of Commerce survey noted above found that 60% of polled Guam residents thought the proposed action would improve quality of life. However, there remain concerns that are heightened by the fact that military facilities are segregated from public facilities, and are ultimately seen as better quality than the latter.</p>	<p>Although the economic impact may be beneficial, military installations can produce serious conflicts, such as: * Increase interference with air routes and communications through construction of communications towers, wind turbines, power lines, and other high-rise structures; * Increased competition for and interference with data and communication frequencies; * Displacement of threatened and endangered species to the remaining open space, including military training ranges; * Increased need to alter training and testing due to residential neighbors' concerns about noise and safety; and * A more rapid depletion of critical ground and surface water supplies, water treatment capacity, and other necessary resources. The DOD needs to address these concerns with the residents of Guam, who often feel the military is not always a willing and committed partner in the community.</p>
<p><b>K-055-082</b></p> <p>Vol. 8, Chap. 5</p> <p>5-</p>	<p>5.3.1</p>	<p>Short-term changes in air quality would result from construction activities that are predicted to run from 2011 through 2016. Construction of new facilities would result in short-term increases in air emissions, but those increases would not exceed the 250 ton per year (TPY) major source threshold established in the USEPA Prevention of Significant Deterioration (PSD) regulations.</p>	<p>What is the total number of sources to be built/used at the sites? What is the project total tonnage of pollutants to be emitted from these sources? What HAPs will be emitted and in what amounts? What about air toxics?</p>
<p><b>K-055-083</b></p> <p>Vol. 8, Chap. 5</p> <p>5-</p>	<p>8.2</p> <p>5.2.2</p>	<p>The dredging associated with the proposed actions would result in long-term productivity improvements in efficient utilization of existing and proposed assets at Apra Harbor, Guam in support of the mission of the U.S. Navy Pacific Fleet. Long-term changes affecting water resources would include the alteration to the dredged depth of Apra Harbor wharf berths, navigation channel and the creation of a turning basin that would remain subject to subsequent siltation and maintenance dredging.</p>	<p>What about the current radiological contamination of Apra Harbor? Where will the dredge material go? Will the DOD relocate this dredged material in other Guam waters, possibly contaminating other water sources/environments?</p>

**K-055-052**

Thank you for your comment. The mitigation of using a ship as a hotel has been deleted from the final EIS.

**K-055-053**

Thank you for your comment. Consideration for variations in weather were included in the analysis of impacts to geological and soil resources. A reduction in erosion directly caused by construction activity during times of greater rainfall would likely balance out increased erosion directly caused by the increased rainfall. BMPs (Best Management Practices) will be implemented to prevent erosion from construction activity in all types of weather, and are designed to protect natural resources through both the wet and dry seasons.

**K-055-054**

Thank you for your comment. Paragraph 1 was indeed inconsistent with the determination that the change in topography at Finegayan, while adverse, is a less than significant impact. It has been corrected in the FEIS. Impacts to groundwater and nearshore water are discussed in Volume 2, Chapter 4, water resources.

**K-055-055**

Thank you for your comment. These noted inconsistencies have been reconciled in the Final EIS. As noted in the Draft EIS, a groundwater sustainable yield study is in-progress. Results have been incorporated into the Final EIS where applicable and feasible.

**K-055-056**

Thank you for your comment. It appears the commenter is referring to

<b>K-055-084</b>  Vol. 8, Chap. 5	5.  5.1.1	Short term use of geological and soil resources would include temporary increased in localized erosion during the construction process.	Concerns about the military vehicles used in military missions and the environmental impacts of using these vehicles. Military missions require that these vehicles perform over a wide range of terrain and surface conditions. Vehicle design affect not only vehicle off-road performance but also site impacts. What will the military do to evaluate the extent of terrain degradation associated with common military vehicles? How does DOD plan to address soil rutting and erosion and how will this impact land preservation decision making? If there is site damage associated with vehicle activities, will DOD mitigate these damages through land restoration investments? What happens if the sit. damage is irreversible and the original site conditions cannot be reestablished? How will DOD monitor and assess these sites to avoid irreversible damage?
<b>K-055-085</b>  Vol. 8, Chap. 5	5.  5.4.1 & 2	5.4.1 Short-term. Noise associated with construction activities would result in short-term increases in the ambient noise environment. 5.4.2 Long-Term. Increases in noise sources associated with long-term operations would occur as a result of increased vehicular use, aircraft operations, vessel traffic and base operations. However, the long-term productivity operations would not be affected by this increase in noise.	Military operations and activities often generate significant levels of noise, which can have an impact on the activity, health, and safety of people, animal (wild and domestic), structures, and land use. The magnitude of the noise is often directly related to the proximity of people, wildlife, and noise-sensitive land uses to military installations, ranges, and other military areas of operations. DOD and Guam need to implement measures and solutions to address existing and foreseeable noise issues/concerns. Does DOD have a

Volume 3 based on the page numbers, not Apra Harbor Guam. Please see Volume 4, Chapter 11 for impact analysis associated with this proposed action. Note the EIS has been revised.

**K-055-057**

Thank you for your comment. See previous comment, this is Volume 3, Tinian. The Navy referenced actual survey data for documenting the presence of sea turtles. It has been acknowledged that hawksbill sea turtles are found in the project area. It is likely that more reside in the area than have actually been sighted, but unlikely that there is a dramatically higher number than what has been documented.

**K-055-058**

Thank you for your comment. While this section uses an example from Southern Guam, the No Action Alternative analysis here is referring to all of Guam, not only Southern Guam.

**K-055-059**

Thank you for your comment. As documented in this EIS, DoD acknowledges the existing sub-standard conditions of key public infrastructure systems and social services on Guam and the interest to have DoD fund improvements to these systems and services. DoD’s ability to fund actions is limited by federal law. However, to minimize adverse impacts associated with the proposed military relocation program, DoD is leading a federal inter-agency effort to identify other federal programs and funding sources that could benefit the people of Guam.

**K-055-060**

Thank you for your comment. It is noted that the EIS process provides information on environmental impacts (this includes the human environment); however, there is a limit to the specific details of the

Comment ID	Page	Section	Response
<b>K-055-086</b> Vol. 4, Chap. 18	18-3	18.1.1.2	DUS estimates that civil emergency response plans that are sufficient for protecting the public from industrial and natural events. (e.g., chemical spills or typhoons)
<b>K-055-087</b> Vol. 4, Chap. 18	18-10	18.2.2.6	In the event that the capability and resources of GovGuam become inadequate to respond to all emergencies, the Governor would request supplemental assistance from the federal government or activate the emergency management assistance compact.
Vol. 7, Chap. 9	79	9.A.6	Disaster and emergency preparedness plans would need to be updated. Plans for providing emergency utilities, shelter, and food based on the anticipated increases in the civilian population would need to be updated.
<b>K-055-088</b> Vol. 6, Chap. 17	17	17.2.2.3	GHS/OCD are not included with other public safety organizations in discussion of public safety implications on current staffing levels and the analysis of estimated professional staff required.
<b>K-055-089</b> Vol. 2, Chap. 16	26	16.1.5.3	Recognizes Guam geographic vulnerability and the assets of public safety and the command control of the GHS/OCD through the Guam Emergency Response Plan, in addition to the increase of the island's population but specifically to the 18k foreign labor force and any DOD assistance during response and recovery to any natural or man-made events.
<b>K-055-090</b> Vol. 2, Chap. 18	Chap 18	Chap 18	Discussed the potential public health and safety issues related to implementation of the proposed action and alternatives on Guam in reference to the massive military build up and force relocation to Guam.

impacts because the information used is based on the continuation of existing trends and behaviors. While it is not an exact science, the EIS process along with the comments received provide information to the decision makers on the anticipated impacts of the proposed action.

**K-055-061**

Thank you for your comment. The FEIS contains an expanded discussion on mitigation measures.

Incoming populations (such as the induced population during the operational period) would likely have dependents that would attend the Guam public school system. Based on income of military civilian workers and the goals set for the education of their children, many will send their children to private and/or parochial schools. The benefits to the community that the base is in, consists primarily of money that the new population provides to the local government from taxes, licenses, and fees. This money would go to the government's revenues. The executive and legislative branches of the government can then fund social, cultural, health, and other programs they feel are needed to benefit Guam.

If the services provided by Guam in the areas of utilities, infrastructures, social and health care, public schools, protective services, are inadequate (this is noted in the SIAS), the income (from the new population) will not be able to pay for all the required needs, especially any capital improvements. The Joint Guam Program Office (JGPO) has been working with and will continue to work with local and federal agencies to determine where funding can be supported. This has been and will continue to be an ongoing process and is exacerbated by the current worldwide economic crises. It is noted that, DoD funds are focused on the military and defense needs of the U.S., so JGPO may find that other funding alternatives must also be put into place to avoid and/or minimize impacts to the government of Guam. Where possible

DEIS Guam and CNMI Military Relocation

Response	Category	Page	Table/Text/Figure	Comments
K-055-091	F	vi	1st para.	Proposed action may not represent a reversal of the trend that cost of goods and services will rise faster than incomes, but it would be expected to slow rate of decline in standard of living. DEIS must provide data supporting this impact so that basis for slowing rate of decline can be evaluated.
K-055-092	F	2-2	1st para.	One factor not apparently considered in the determination of how many new jobs would be filled by Guam residents is the number of graduating high school students. Guam graduates approx. 2000 students per year and military buildup should be viewed as a source of employment for these graduates.
K-055-093	F	2-4	2.1-1	What is source of information for this table? 1997-1999 shows higher figures of immigration as compared to highlighted years. What is the cause of this and how does this affect analysis? The percentages reflect Guam's Philippine born population but the ages of them upon arrival to Guam are not stated.
K-055-094	F	2-5	2.2	Need to explain why some economic topics such as potential effects on cost of living, unemployment, local business opportunities are "less conducive to quantification". It appears that these topics can be quantified but the DEIS did not do so.
K-055-095	F	2-9	2.2.4.5	Consensus appears to be that banks on Guam were not adversely affected by financial crisis. If this is true, it contradicts statement made in DEIS and that potential for combating indirect economic benefits is better.
K-055-096	F	3-47	Fig 3.2.1	This map depicts GovGuam land ownership in the Andersen AFB area which we believe is incorrect. This map is used in other sections as well.
K-055-097	F	3-47	3.3.3.2	Section on Human Resources must be revised to show that Guam ranks 126 out of how many cities? If DEIS is to continue to state that Guam lacks governance experience as compared to mainland local and state governments, it must provide data to show this, rather than simply implying that Guam has only 50 years of experience. Additionally, the DEIS must show how lack of experience affects Guam's alleged inability to handle federal funds, federal receivership and high level administrative fraud.
K-055-098	F	3-3	Middle	Statements need to be revised to reflect more recent experience that Guam was able to float over \$500M in bonds with a demand of 11 times that being offered. Guam's triple tax exempt status for investors increases attractiveness of Guam bonds regardless of the B+ rating. Additionally, DEIS admits that it has not determined cost of satisfying demands generated by proposed action on roads, ports, and other infrastructure. Quantification of costs must be conducted to allow cost benefit analysis of the proposed action.
K-055-099	F	3-24	3.5.1.4	Regarding war reparations, it is our understanding that the US government granted immunity to the Japanese for resolving war claims and in its place, committed itself to resolving war claims on behalf of the Japanese. The Guam War Claims Act passed by Congress is testament to the commitment and recent action by the House of Representatives and the Senate (even though the new war claims act was not enacted in this Congress) reaffirms this commitment.
K-055-100	F	4-34	4.3.6	The DEIS is deficient in its coverage of local business contract opportunities and constraints. The only aspect dealt with in the DEIS is Alaskan contractors and their reduced ability to obtain contracts. GEDA's scoping comments presented many other opportunities and constraints that it requested should be addressed in the DEIS which was not done. As the Navy has publicly released its NavFac Execution and Acquisition Plan which deals with contracting and since the plan provides details regarding contracting opportunities associated with the proposed action, the DEIS should evaluate the impacts on local business contract opportunities in line with the provisions of the plan. Additionally, as the plan includes OPR as well as non-OPR funding and other proposals such as the establishment of Joint Base Guam/Joint Region Marianas, the effects of the plan must be addressed in the Cumulative Impact section of the DEIS.
K-055-101	F	16-63	Table 16.2-30	The application of the Hawaii Input-Output model to Guam is inappropriate and does not yield realistic estimates of economic impact resulting from the proposed action to relocate Marines to Guam. The absence of readily available data for Guam is an insufficient reason to utilize the Hawaii model.

and appropriate, JGPO and/or DoD will support grants, loans, and other funds that focuses on improvements that are within the objectives of the sponsoring federal agency.

**K-055-062**

Thank you for your comment.

**K-055-063**

Thank you for your comment. The FEIS has been corrected to reflect the correct square footage of the Guam Memorial Hospital.

**K-055-064**

Thank you for your comment; the FEIS has been edited per your comment.

**K-055-065**

Thank you for your comment. Edits have been made as appropriate in the FEIS.

**K-055-066**

Thank you for your comment. The phrase "(within DLM)" after GALC is deleted from the Final EIS.

**K-055-067**

Thank you for your comment. The text appears accurate. The subsequent sentences clarify that federal actions on federal lands shall be carried out in a manner consistent to the territorial coastal zone.

**K-055-068**

Thank you for the information. The land use impact analysis does not

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Volume	Chapter	Page	Line	Table	Figure	Comment
K-055-102		16-06				The DEIS does not contain any cost information including recurring and nonrecurring costs associated with the proposed actions. While the DEIS acknowledges that a Financial Impact Assessment will be done by GovGuam, costs associated with the proposed action must be included in the EIS in order for reviewers to make informed decisions. From a cost benefit perspective, it currently appears that the economic cost to support Marine relocations outweighs its benefits.
K-055-103		16-06				There is inadequate analysis of the benefits to access to Guam businesses. The proponent of the action has not "set aside" contractual funding for local or even small businesses. The "speculation" that Guam businesses will benefit from various opportunities associated with the proposed action must be justified and quantified through proper study.
K-055-104		16-07				Standard of living and local business opportunities have not been quantified in a fashion that allows the DEIS to classify these as beneficial impacts.
K-055-105	2	16-09		Table 16.2-63		The proponent has indicated that the award of construction contracts to large off-island contractors is necessitated by the condensed time frame for construction in preparation for the proposed action. Relaxing the construction timeline to smooth out the adverse impacts of a large jump in population is an appropriate mitigation measure which will also allow more of the work to be contracted to local business. An alternative apparently proposed by the proponent of splitting the construction work (allowing some of the work such as preparation to be performed outside of Guam) but not relaxing the time frame for construction will reduce economic benefits and is not as acceptable as relaxing the construction time frame.
K-055-106		ES-35				DEIS indicates that a "suite of mitigation measures are under consideration to mitigate impacts to socioeconomics". A clear description of these mitigation measures and how they are expected to mitigate socioeconomic impacts must be provided.
K-055-107	9	Appendix F	4-28	Tab 4.3-36		Gross value of military contracts by year must be updated to show more accurate impact on quality of human environment. Congress has already approved over \$700M and the Japanese have already budgeted over \$300M for 2010 while DEIS assumes only \$524M. Total cost of military contracts from 2010 to 2016 is almost \$12B as reported in DEIS. The Navy has also indicated that DPM and non-DPM funding would be awarded. This, coupled with the cumulative impact of the Air Force, Joint Region and other initiatives, could increase impacts. If cost is more likely \$15B, an additional 22,500 workers would be needed using the formula contained in the DEIS. If this occurs, the impacts on the quality of the human environment become even more significant.
K-055-108	7		3-78			*The socioeconomic growth in the civilian sector may require additional education, medical care, police and fire facilities. These are elements that are likely to be addressed in the CSS* (probably means FIA). *CSS* is not defined in the DEIS however it probably means Compatibility Sustainability Study or maybe Fiscal Impact Assessment which GovGuam's consultant is performing under OCA funding. The FEIS must include the results of these studies as they would identify mitigation measures that DoD would consider in making informed decisions.
K-055-109		2-30				If Navy is committed to working with GovGuam and other federal agencies to secure funding for off-base impacts, include this commitment within the ROD.
K-055-110	9	Appendix F	4-29	Tab 4.3-37		This table projects base operations expenditures from 2015-2020 at \$52.4M based upon US spending gov. for expenditures on Guam. A US DoD IG report dated March 12, 2007 (Report No. D-2007-068) provides a significantly greater annual base operations cost (even after deducting construction and personnel costs) and should be used as a basis for estimating annual costs. Alternatively, the IG report indicates that annual costs should be identified in the FY2009 Program Objective Memorandum. We submit that Guam historical costs should not be used as better information is available. Higher future operational costs would demonstrate an even greater positive benefit of the proposed actions which assists in arriving at a more informative cost benefit analysis. In addition, DoD's FY11 Budget Request which would form the basis of the FY11 National Defense Authorization Act or DoD's Future Years Defense Plan which is required by Congress, should be used in the FEIS, as the costs included in the Budget Request or the FYDP would be a more accurate depiction of actual costs.

include the EEZ. Volume 2, Chapter 8 text is edited in the Final EIS to clarify that Guam jurisdiction extends beyond 3 nautical miles.

**K-055-069**

Thank you for your comment. The Final EIS describes the submerged lands ownership at Ritidian Point based on the Quitclaim Deed #661952

**K-055-070**

Thank you for your comments. There are many ongoing changes that occurred as the EIS was being prepared and processed. These changes are recognized and where available and appropriate included in the FEIS.

Should DoD determine that additional land is necessary to meet its requirements, DoD policy requires that it negotiate with affected public and private land owners in good faith, seek agreements to acquire desired lands interests and pay fair market value. Where circumstances exist that require resolution of issues such as ownership or value, procedures exist under eminent domain authority to resolve those questions. Eminent domain requires reimbursement at fair market value.

**K-055-071**

Thank you for your comment. The DEIS does not state that access to non-DoD lands through Route 3A is under an agreement between the landowners and the Air Force. The stated agreement is between the Air Force and property owners at Jinapsan Beach to access their properties through Andersen AFB, and not through Route 3A.

**K-055-072**

Thank you for your comment. DoD understands the importance of the cultural and historic issues related with land in Guam, and in particular those associated with the Pagat and Marbo areas. DoD acknowledges that maintaining access to these sites is important. In the PA, we have

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Volume	Chapter	Page	Table/Figure	Comments
K-055-111		16-96		The narrative under Chamorro Land Trust Commission actually describes the Guam Ancestral Lands Commission. Also, the narrative under GALC actually describes the CLTC.
K-055-112		16-42		Under "Impacts," DEIS indicates a steady 31K population "as increases in base operational expenditures cease by 2019". Operational expenditures will not cease and it will be necessary to monitor actual population levels. As previously indicated by the Bureau of Statistics and Plans, a mid-Decennial Census should be supported by the military to ascertain changes in population and the extent to which DEIS projections have been achieved.
K-055-113		16-14	Tab 16.2-6	The DEIS uses the Census as the basis for its assumptions on the demographic characteristics of the Marines that will be relocating to Guam. As the Japan-US agreement identifies the Marine units relocating to Guam, it would be more accurate to use the characteristics of these units, even if the actual unit service member does not relocate to Guam.
K-055-114	2	8-20		The discussion regarding the non-DoD lands north and west of AAFB is not an accurate description of the history and issues behind the provision of access to the Castro and Astero properties. Access is part of the agreement, but access was court mandated ever since surrounding properties were acquired. The North and Central Guam Land Use Plan may propose that the area be designated Tourism/Resort however, pre-existing zoning already designates the Litinas area as Hotel/Resort Zone. The proposed action will restrict access even more. Implementing the proposed action will result in the loss of development rights. Unrestricted access should be considered as an appropriate mitigation action and included in the ROD.
K-055-115				The entire volume 2 evaluates the proposed action against the proposed North Central Land Use Plan which has not been adopted. All impacts of the proposed action should be evaluated against Guam's zoning law.
K-055-116	6	2-118	Tab 2.5-3	Volume 4 specifies that the preferred alternative for Aircraft Carrier Berthing is Polaris Point. This volume discusses impacts and mitigation measures and refers to Volume 6 for off-base improvements. Volume 6 does not identify access roadway improvements along Polaris Point Road, leading from Route 1 to the preferred site. This road is owned by GovGuam and will be heavily utilized during the construction period. During the operational period, additional traffic will be experienced as visiting servicemen will utilize this road and supplies and other cargo may be delivered to the carrier over this roadway. Roadway improvements must be made to mitigate impacts of this proposed action and preferred alternative.
K-055-117	7	2-30		The DEIS recognizes that traditional funding sources (taxes, fees, etc.) will not be able to be used to fund improvements required by the proposed actions. The "identification" of potential funding sources to assist Guam in implementing mitigation measures on non-DoD land is insufficient. The Navy must not only identify but also actively support that other federal funding is provided in such form as the other agencies themselves, OMB, the Interagency Working Group, and committees of Congress.
K-055-118	7	2-32		Adaptive management and post-ROD monitoring must be implemented for the socio-economic resource area. As the benefits of the proposed actions appear to be less than their costs, the Navy in conjunction with GEDA and local and federal entities must establish a post-ROD monitoring plan which should determine the level of benefits being experienced by Guam and should the level of benefits be lower than agreed upon, the Navy would take appropriate action. For instance, if the award of construction dollars to small businesses is not achieving the national target of 25%, the Navy would allocate more contract dollars to small businesses or require that large companies allocate more of their award dollars to small business subcontractors.
K-055-119		2-34	Fig 2.3-1	Data sharing, public involvement and notification and collaboration with Government of Guam must be included in the Monitoring Plan flow chart.

included a stipulation that would develop a process so that educational trips to Pagat would be available. This process also applies to cultural and recreational access to the site. DoD looks forward to working with stakeholders in developing plans for access that balance operational needs, public safety concerns, and the continuing public use and enjoyment of these sites.

**K-055-073**

Thank you for your comment. DoD understands and recognizes the significance of cultural and recreational sites located on DoD property in Guam. Restricting access to certain DoD areas at certain times is required to maintain public safety. It is the intent of DoD to maintain public access to DoD lands that contain cultural sites consistent with safety and operational requirements. Access will be granted at approved times such as when the lands are not being used for military training. Final plans concerning access to sites potentially impacted by the proposed action have not been developed. DoD looks forward to working with stakeholders to develop plans for cultural stewardship and access that balances operational needs, public safety concerns, and the continuing public use and enjoyment of these sites.

**K-055-074**

Thank you for your comment. Please see the Socioeconomic Impact Assessment Study (SIAS) which is Appendix F in Volume 9 of the EIS, Section 4.3.7 for information on Tourism. The analysis of the impacts on tourism generally reflect that the impacts of the proposed action would have on tourism would be mixed. Tourism may decline as some visitors may shy away from Guam due to construction activities and an increased military presence on the island but that would be made up for by increased visits from members of the military who are tourists while their ships are docked on Guam.

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Volume	Chapter	Page	Line/Topic/Item	Comment
K-055-120		2-57		"Socio-economics is not a good candidate as a driver for adaptive management mitigation techniques" taken as a whole. However, if "socio-economics" is broken down into specific areas as delineated in Vol. 7, page 3-65, adaptive management techniques could be developed for labor force, labor force income, cost of living, housing, local government revenues, local business opportunities, tourism, gross island product and public services. These areas should be monitored and once the cost begins to exceed the level projected without the proposed actions, corrective action could be taken by the Navy in conjunction with GovGuam. The appropriate metrics, targets and mitigating actions need to be formulated in the FEIS.
K-055-121		3-54	Tab 3.3-36	"Economic" as a "Potential Impact Component" is too general a term and should be replaced with the more specific categories used in Vol. 7, page 3-66. The impacts and their significance are substantially different using a more detailed breakdown.
K-055-122		3-59		The DEIS recognizes that there will be a loss of labor to high-paying military jobs brought on by the proposed actions however it does not identify how this impact would be mitigated. At the same time, a less qualified workforce would necessarily be employed in jobs whose pay cannot compete with military civilian pay. The Navy should commit to identifying and helping obtain funding for workforce training and ensure that companies hired for military contracts employ and train entry level personnel.
K-055-123		2-21	Tab 2.2-1	The DEIS indicates that the mitigation measures identified in this table are examples. All of the mitigation measures identified in this table should be incorporated into the ROD, should be funded and implemented by the Navy. However, under "and", buffers should be created on federal property rather than on government of Guam or private lands.
K-055-124		2-25	Tab 2.2-1	Under Socioeconomics and General Services within DoD Control, it is unclear what specific impact is intended to be mitigated by the examples presented. A more useful approach would be to list the socioeconomic impact, identify the mitigation measure, identify the specific entity responsible for implementation, establish timelines for accomplishment and ensure funding availability.
K-055-125		App K	24-Apr	The DEIS assumes GovGuam collects all tax revenues that it would be owed. With specific regard to gross receipts taxes from construction and operational contracts, the GovGuam does not receive information from the military on contracts that have been let. As GRT and other taxes must be paid by companies upon receipt of payments (rather than contract award), a system must be established by the Navy in conjunction with GovGuam that provides appropriate GovGuam agencies with the information they require to ensure that all local requirements are met.
K-055-126		3-55		Address real estate values, housing, and tourism.
K-055-127		3-59		Housing appears to be an area where post-ROD monitoring would be useful in ensuring that the preferred actions do not result in adverse impact. It is suggested that the Navy in collaboration with GovGuam establish a monitoring program to ensure that an over-abundance of housing is not created. (need to add more)
K-055-128		16-9		The discussion on local business contracts indicates that there will be more construction and operation contracts for the Marine Relocation than for Aircraft Carrier Berthing. Comparing Aircraft Carrier Berthing to Marine Relocation is an inappropriate comparison that does not provide decisionmakers with a firm basis to make decisions. The number, dollar amount and nature of construction and operation contracts should be presented and compared with and without the proposed action and not compared with a different proposed action. As in other volumes, there is a complete lack of discussion regarding construction and operation contracts. Contracts are direct benefits of the proposed action and must be discussed thoroughly to provide decisionmakers with appropriate information to make informed decisions on the effect of the proposed action on the human environment.

**K-055-075**

Thank you for your comment. As documented in this EIS, DoD acknowledges the existing sub-standard conditions of key public infrastructure systems and social services on Guam and the interest to have DoD fund improvements to these systems and services. DoD's ability to fund actions is limited by federal law. However, to minimize adverse impacts associated with the proposed military relocation program, DoD is leading a federal inter-agency effort to identify other federal programs and funding sources that could benefit the people of Guam.

**K-055-076**

Thank you for your comment. Volume 4, Chapter 16 of the Final EIS acknowledges that there could be impacts to ocean based tourism within Apra Harbor including diving. However, economic impacts to tourism would be somewhat offset by increased tourism from military personnel.

**K-055-077**

Thank you for your comment. DoD would work closely with Government of Guam agencies and local stakeholders to minimize impacts associated with the proposed military relocation program.

**K-055-078**

Thank you for your comments and mitigation suggestion. Because of the numerous mitigation measures received during the DEIS comment period the FEIS has been revised to include an expanded discussion on mitigation measures.

**K-055-079**

Thank you for your comment. Because of the numerous suggestions for mitigation measures were received during the DEIS comment period, the

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Tracking Number	Comments	Page	Location	Figure	Comments
K-055-129 4		16-10			The DEIS states "Long term operational effects on tourism would include force protection restrictions during carrier ingress and egress restricting diving and tourist operation. However, these economic impacts to tourism would be somewhat mitigated or compensated for by increased tourism from military personnel." The add-on to which adverse economic impacts would be mitigated/compensated for increased military tourism is not identified but should be quantified to determine the accuracy of the DEIS statement. Also, it is questionable whether the Navy can mitigate "restrictions during carrier ingress and egress" with "increased tourism from military personnel."
K-055-130		16-10			The DEIS states "tourism organizations and hoteliers were surveyed to collect data on this proposed action." It goes on to state that surveys resulted in the conclusion that carrier visits "always contributed positively." However, no data is presented from the surveys to support this conclusion.
K-055-131 4		16-10			Industry representatives indicate that active duty personnel on temporary orders are exempt from hotel occupancy tax when their stay at the hotel is strictly related to their military duties. The DEIS indicates that such stays are infrequent and only occur if there is insufficient transient billeting on military installations, but when they occur, military personnel may displace tourists that pay the tax. The frequency and extent of impact must be documented. Our observation is that this occurrence may be frequent, especially given the Air Force deployment every six months of bomber, fighter and support personnel. With establishment of Joint Region Marianas, all such billeting would be controlled by the Navy and it appears that insufficient on-base billeting would be the norm rather than the exception.
K-055-132		16-10			The section regarding "Local Business Contracts" again compares the proposed action against a different proposed action as opposed to providing the data. Data regarding contracts during the construction and operations periods for the Army AMDTF must be provided to allow for informed decisionmaking on the effects of the proposed action on the human environment.
K-055-133 9	Appendix K	4-13			The SACIS indicates "Current plans are for on-base housing to be provided for all military personnel and that this population is not included in the housing analysis." The effect of the Navy's housing plan should be evaluated within the EIS. While the cost of new Navy housing would not pose a significant impact on the Navy because the Japanese Government is funding this requirement, the Navy's decision to house all its personnel on base results in the need for more land and results in further leakage of benefits as investments are funneled off-island. The provision of off-base housing will mitigate many of the economic impacts identified in the DEIS.
K-055-134 9	Appendix K	4-29		Tab 4.3-37	The average annual wage of military personnel is almost \$29K. 11,162 active duty personnel will reside in Guam during the steady state meaning that a military payroll of over \$320M would be distributed annually in Guam. As only 10% of military payroll is spent in the local economy, mitigation measures that encourage military personnel to spend off-base would reduce adverse economic impacts.
K-055-135		16-17			Cost of living increases, particularly during the construction phase, would negatively affect households on fixed incomes, though other households would benefit from rising wages. The DEIS must quantify and project the number of fixed income households during the construction and operations phases to determine if the impact on this human population outweighs impacts on the rest of the population.
K-055-136 2		16-39			This section discusses how the DEIS determines "significance" of economic impacts on the economy of Guam and the <u>prosperity of its people</u> . The DEIS assumes that the economy of Guam and the prosperity of its people are one in the same. It succeeds in analyzing the economy but fails to analyze prosperity of its people. Many of the economic benefits identified in the DEIS exceed the 2% threshold but may not add to prosperity of Guam's people as most jobs will not be for Guam's people and most Jargo contracts will not be for Guam's contractors. (Fix up - see OEA Tech Bulletin 5)

FEIS has been revised to include expanded discussions on mitigation measures.

**K-055-080**

Thank you for your comments. The information provided has been revised in the FEIS.

**K-055-081**

Thank you for your comment. DoD recognizes the importance of managing efforts in implementing the proposed military relocation to reduce adverse effects on the people of Guam, its natural resources and infrastructure. The Final EIS process identifies ways to implement the proposed relocation while minimizing adverse impacts. DoD will continue to ensure that the short term impacts of construction are managed effectively and that the long term effects of the military relocation reflect DoD policies to be good neighbors and responsible citizens on Guam.

Through the process of public involvement that has accompanied this proposed action, the Chamorro people of Guam have voiced clearly and concisely their concern that the traditional Chamorro culture, including dance, language and traditions, will be forgotten. While population increases can highlight cultural differences, they also present unique opportunities for cultural learning and sharing. As noted in the Final EIS, the DoD plans for cultural sensitivity orientation and awareness programs will focus on mutual respect and tolerance and strive to educate all incoming and currently present military personnel on the rich and varied cultural history that has created the culture that is Guam today. Finally, the DoD plans to increase military civilian joint activities in order to foster strong and mutually beneficial military civilian relationships that include the sharing and understanding of culture.

Volume	Chapter	Page	Line	Table/Figure	Comments
K-055-137		16-98		Tab 16.2-53	Although the economic downturns after the construction boom peak is not considered sufficient to change the overall impact assessment from beneficial to adverse, mitigation measures for the economic downturn must be included as possibility of an economic downturn is a severe adverse impact on the human environment as a result of the proposed action.

**K-055-082**

Thank you for your comment. Full details of construction emissions are provided in Volume 2-6 with further details provided in Volume 9, Appendix I and combined emissions provided in Volume 7 for the Preferred Alternatives. These volumes contain information on the number and type of sources, total emissions in tons per year for criteria pollutants, and other information.

However, HAP emissions associated with construction activities are not quantified because 1) the emission factors are not available in the EPA NONROAD model used for the emissions analysis and 2) no HAP emissions de minimis levels have been established by regulatory agencies as compared to criteria pollutants.

**K-055-083**

Thank you for your comment. Radioactivity associated with U.S. Navy nuclear-powered ships and the environmental monitoring program for such radioactivity were discussed in the Draft EIS in Volume 4, sections 18.1.1.1 and 18.2.2.6. These sections discuss the long history of safe operations and lack of adverse environmental impact. U.S. nuclear powered warships have safely operated for more than 50 years without any release of radioactivity that affected human health or had an adverse effect on the environment or marine life. The Navy’s annual report covering environmental monitoring at locations throughout the U.S. was discussed, including the fact that radioactivity associated with nuclear-powered ships, chiefly cobalt-60, is not detectable in the environment in most harbors. The latest issue of this annual report is Report NT-09-1 dated March 2009<sup>1</sup>. No cobalt-60 was detected in Apra Harbor, Guam in the samples documented in this report, which covers calendar year 2008. In addition to this summary report for all U.S. harbors, the Navy issues a detailed report for Apra Harbor each year<sup>2</sup>. The latest report includes the results for each individual water, sediment, and marine life sample taken in Apra Harbor during 2008. No cobalt-60 was detected

Economic Impact	Mitigation Measures (from DEIS)	Additional Mitigation Recommendations
<p>There is a time lag between when GovGuam needs revenue is actually collected. Infrastructure costs would be heavily front-loaded. Other sources of revenue would have to be used to fund civilian improvements as Section 30 does not contribute significantly to government revenues. Increased infrastructure demands would increase pressure for substantial borrowing. (Vol. 7 page 3-59; STAS Appendix F page 4-28; SAR Vol. 9 Appendix F page 3-3)</p>		<p>*NavFacMar must establish protocol for notifying Dept. of Revenue and Taxation of contract awards and actual disbursements to allow GRT collection. *SecNav and SecDef must actively pursue federal funding from other agencies and support federal agency budget requests for Guam projects at all levels of the Executive and Legislative Branches of the federal government. *Navfac must provide continuing training to GovGuam personnel involved in preparing requests for grant, loan and direct Congressional funding. *SecDef must initiate and support efforts in Congress to craft and pass annual omnibus appropriations measures to fund local requirements directly and indirectly required by the proposed actions.</p>
<p>There will be a recession-like period after 2014 when businesses would have to end or cut back and many workers would have to out-migrate due to job loss. The end of this boomtown period would technically be an economic recession. Appendix K, page 4-147 table 4.3.4)</p>	<p>*Assist GovGuam with technical assistance, development and implementation of comprehensive data collection systems focused on public services provided to US citizens in order to facilitate GovGuam access of Compact Impact and other related funding. *Assist GovGuam with technical assistance, development and implementation of comprehensive data collection systems focused on public services provided to military individuals, in order to facilitate GovGuam access of TRICARE and other related funding. *Assist GovGuam with technical assistance, development and implementation of comprehensive data collection systems focused on patient information, records, and services accessed, in order to facilitate appropriate care administered in a timely manner.</p>	<p>To ensure the creation of new jobs after 2014, JGPO and NavFacMar shall establish a program that guarantees local employment during the operational phase. Minimize dependence on off-island and state-side hires and require that contractors, particularly those with technical specialties needed by the military hire local employees. IDIQ and other contract vehicles that provide multi-year contracting shall include provisions for training and hiring of local employees. Scholarship programs within the Navy and DoD for technical and scientific training shall be extended to Guam residents. SecNav and SecDef shall establish a policy that future family housing required by the military shall be constructed and managed by local private companies that can meet performance and capability requirements.</p>
<p>Guam workers will likely continue to see the cost of living rise faster than their incomes. (Vol. 2, Chapter 16)</p>		<p>*JGPO shall obtain funding for and shall develop a monitoring plan in conjunction with the BLS DOL and BOST to calculate the cost of living on an annual basis and to compare COL to household incomes. The monitoring plan shall establish thresholds which will signal the need for identifying and funding methods to ensure that the cost of goods and services do not rise faster than incomes. *During the construction phase, JGPO and NavFacMar must establish a policy that construction companies must purchase local agricultural and aquacultural produce. JGPO and NavFacMar should include this as a criterion in the award of contract options, similar to how use of small businesses as subcontractors is used in the acquisition process.</p>

in any of these samples. The Navy has been conducting radiological environmental monitoring in Apra Harbor since the early 1960s, when nuclear-powered ship operations in Guam started. A complete history of all of this environmental monitoring data is provided in Volume I of the Historical Radiological Assessment for Apra Harbor<sup>3</sup>. This report documents that only trace amounts of cobalt-60, far below any level of health or environmental significance, have ever been detected in Apra Harbor.

The response to Senator Cruz's comments (K-007-002 and K-047-001) includes a detailed discussion on the nearly 50 year history of environmental monitoring for radioactivity by the U.S. Navy. No radioactivity associated with nuclear-powered ships (cobalt-60) has been detected in Apra Harbor since 1990. Core samples taken in the inner harbor in 2004 and in 2009 in areas of the outer harbor considered for dredging have not had detectable cobalt-60 at any depth. Trace concentrations of radionuclides associated with fallout from past nuclear weapons testing (cesium-137, americium-241, and plutonium 239/240) have been detected. These fallout nuclides are detectable worldwide. This trace amount of radioactivity in the sediment is far below the concentration established by the International Atomic Energy Agency for determining whether dredged sediments can be regarded as non-radioactive or de minimis under the Convention on Prevention of Marine Pollution by Dumping of Wastes and Other Matter (London Convention, 1972)<sup>4</sup>.

Since there is no indication of elevated radioactivity in Apra Harbor sediments, dredged sediment from Apra Harbor may be disposed of without any need for special considerations regarding radioactivity.

The Final EIS has been revised in several sections to include the information discussed in the response to the comments from Senator Cruz and EPA. Revised sections include Volume 4, sections 2.3.5.1,

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Economic Impacts	Mitigation Examples from DEIS	Additional Mitigation Recommendations
<p><b>K-055-140</b>                      ...may bring more significant business opportunities for Guam companies but how much of the total construction budget is awarded to Guam companies? (Vol. 9 SAIS page 4-35)</p>	<p>• DoD can reduce construction and operations tempo to reduce the adverse impacts of a large increase in construction population on Guam - eliminating the population boom and best effect identified in the analysis. • Prohibit dependents from accompanying Marines until construction is complete</p>	<p>• JGPO and NavFacMar must analyze the nature and extent of contracting in Okinawa for operational requirements in support of the Marines and publicize the results of this analysis within one year following the issuance of the ROD to allow local companies to prepare for contracts to be let during the operational phase. • The Sec of the Army shall prepare a similar analysis regarding the Army Missile Defense System. • JGPO, NavFacMar, and SecArmy must develop and DoD must support a plan that gives preference to local businesses in contracting during the operational phase.</p>
<p><b>K-055-141</b>                      If new housing is constructed for workers, an over-... drive housing prices down for residents, but would likely mean substantial losses for developers and landlords (assuming that financing institutions would even finance construction due to potential risk). (Vol. 9 page 3-59)</p>	<p>Assist GovGuam in seeking federal funding to expand the stock of low-to-moderate income housing on Guam, reduce impacts on housing availability and expense</p>	<p>• SecNav and SecDef shall establish a policy that future family and bachelor housing required by the military shall be constructed and managed by local private companies that can meet performance and capability requirements. • JGPO, SecNav and SecDef must actively support GovGuam efforts to allow Guam residents to qualify for USDA rural housing and other programs even if Census data demonstrate that geographic areas exceed program population thresholds.</p>
<p>The possibility of wage increases or loss of labor to higher paying jobs during the construction component is a highly likely outcome. The general service sector could undergo a period of difficulty due to loss of labor to higher paying jobs and pressure for increased wages and with particular regard to tourism, this could also impair competition with inexpensive Asian tourist destinations. (Vol. 9 SAIS page 4-37; Vol. 7 page 3-59)</p>	<p>Unbalance economic benefits and compensate for economic costs for local businesses, the Marine Corps would consider granting trainees some liberty at the end of every training mission so that they might spend money in local establishments and interact with local residents.</p>	<p>• SecNav will support GovGuam requests to allow other industries besides construction to employ H-2 alien laborers to accommodate the period of difficulty. • JGPO will establish a monitoring program in collaboration with GovGuam to determine when the period of difficulty ends so that the allowance for other industries to hire H-2 can be ended.</p>
<p>Local workers would make up only 25% of new federal civil service jobs. (Vol. 9 Appendix F page 4-147 table 4.3-3 and page 4-6)</p>		<p>SecNav working with the Congress as necessary shall afford those affected by earlier BRAC and A-76 terminations, early retirements and priority placements with re-employment rights for civil service jobs resulting from the proposed actions.</p>

4.2.2.2, and 18.2.2.6, and Volume 2, section 4.1.4.1.

References:

1. U.S. Navy Report NT-09-1, "Environmental Monitoring and Disposal of Radioactive Wastes from U.S. Naval Nuclear-Powered Ships and Their Support Facilities", March 2009
2. U.S. Navy Report, "Radiological Environmental Monitoring Report, Calendar year 2008, Apra Harbor, Guam"
3. U.S. Navy Report, "Historical Radiological Assessment, Apra Harbor Naval Complex Territory of Guam, Volume I, Naval Nuclear Propulsion Program, 1961-2004", February 2006
4. IAEA-TECDOC-1375, "Determining the Suitability of Materials for Disposal at Sea under the London Convention 1972: A Radiological Assessment Procedure," IAEA, October 2003

**K-055-084**

Thank you for your comments. The unique impacts of military vehicles have been accounted for in the design of training sites and roadways build up on Guam and Tinian. These are periodically maintained and inspected. Maintenance and inspections are expected to provide the environmental restorations needed to maintain the existing environmental conditions. For more information on how the military will address erosion and assess impacts, please see Volume 7.

**K-055-085**

Thank you for your comment. Noise abatement mitigation measures are proposed in the FEIS to reduce noise levels at sensitive areas.

**K-055-086**

Thank you for your comment. Volume 4, Section 18 indicates that all

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Economic Impacts	Mitigation Examples from DEIS	Additional Mitigation Recommendations
<p><b>K-055-142</b></p> <p>Personnel will have to increase its level of service (Vol. 9 Appendix K and Vol. 2 Chapter 16)</p>	<p>• DoD can implement incentive programs for military spouses and dependents that apply for and are hired into GovGuam public services agency employment.</p> <p>• DoD can implement volunteer programs for military, their spouses and dependents, linking them to long-term government of Guam public service agency volunteer positions. • DoD can implement collaborative efforts with the federal government and GovGuam to identify and provide grant writing assistance to Guam public service organizations and agencies that have existing AmeriCorps program, or have the potential to host an AmeriCorps program, to facilitate an increase in AmeriCorps service on Guam. • Assist GovGuam in seeking federal funding for necessary permanent number professional staff identified, as well as the number of administrative and supporting staff needed for these professions to perform their positions adequately. • Assist GovGuam in seeking federal funding for an increase in the number of private staffing and service contractors currently working for service agencies, to match staffing</p>	<p>DoD shall actively support GovGuam's request for technical assistance under the Inter-Agency Personnel Act that allows federal employees to work for GovGuam with their salaries paid for by the federal government.</p>
<p><b>K-055-143</b></p> <p>Increases in military operations may increase conflict (Guam) and tourist operations.</p>		<p>HPGO in conjunction with GovGuam shall establish an advisory Task Force funded by DoD that is responsible for alerting Navy and GovGuam decisionmakers regarding conflicts and recommending appropriate courses of action.</p>

Naval Nuclear Propulsion Program (NNPP) activities have plans in place that define responses to a wide range of emergency situations. These plans are regularly exercised to ensure that proficiency is maintained. These exercises consistently demonstrate that Navy personnel are well prepared to respond to emergencies regardless of the location. Actions are taken to continually evaluate and improve emergency preparedness. If a radiological emergency occurs, civil authorities would be promptly notified and kept fully informed of the situation. Local civil authorities would determine appropriate public actions, if any, and communicate this information via their normal emergency communication methods. The DEIS does not identify specific funding sources for training, and equipping public emergency responders.

**K-055-087**

Thank you for your comment. The Navy understands the importance of emergency response planning and will work with the government of Guam to ensure DoDs participation during the planning and implementation of emergency preparedness on Guam.

**K-055-088**

Thank you for your comment. These agencies were not covered under social services since they are not typically deemed social services. Thank you for your comment. As documented in this EIS, DoD acknowledges the existing sub-standard conditions of key public infrastructure systems and social services on Guam and the interest to have DoD fund improvements to these systems and services. DoD's ability to fund actions is limited by Federal law. However, to minimize adverse impacts associated with the proposed military relocation program, DoD is leading a federal inter-agency effort to identify other Federal programs and funding sources that could benefit the people of Guam.

Volume	Chapter	Page	Line	Table	Figure	Comment
K-055-144	1	ES	15-5	Paragraph 2		Force protection and mitigating measures should be described at a lower level so that non security readers of the document understand what is required.
K-055-145	1	1-38	Section 1.9.5			DEIS mentions Ports Subcommittee for Guam Civilian Military Task Force (CMTF) working together on common issues affecting Guam. Inference is military and those affected are communicating.
K-055-146	1	1-45	Table 1.11-1			ODMOS site is 9 km from Apra Harbor. Includes usage by Port projects.
K-055-147	2	2-12	Section 2.2.3.1 (Dredging)			One of the scenarios evaluated in the DEIS considers 100% beneficial re-use of the JGPO dredged material for PAC's expansion program. This is not entirely viable due to timing.
K-055-148	2	2-26	Section 2.6			Consider adding additional security measures necessary for public utilities (electricity) and services (such as 911 and roads) that serve the US military needs.
K-055-149	2	2-27	Section 2.6			Consider whether or not the roadways that support the US military need to be constructed in a different manner (beyond DPW and FHWA guidelines) to support the US military's needs.
K-055-150	2	2-31	Section 2.7.1.4			DEIS states that aggregate, clean soil, and top soil would be imported from off-island. It is assumed that this material would come through the Port.
	2	2-35	2.7.2.1			Basalt would be imported to Guam via ocean transport through the Port.
	2	2-36	2.7.2.2			DEIS states that grading equipment, trucks, cranes and small equipment would be imported. It is assumed that this equipment will come through the Port.
K-055-151	3	3-11	Figure 3.3-1			Purple area shown on the legend is not visible.
	3	3-11	Figure 3.3-1			The proposed SDZ location is not clear on the map.
K-055-152	16	16-79	Subsection: Regional Issues			Regional responsibilities of GFD and GPD related to public safety, such as storage of hazardous materials at the Port Authority would affect the number of additional staff that might need to be added.
K-055-153	16	16-83	Entire Page			Will this military relocation program include upgrading local Guam facilities such as the 911, library, judiciary, beaches and recreational facilities?
K-055-154	16	16-98	Section 16.2.4			States that under the no-build alternative, agencies planning infrastructure development such as at the Port, would have more time to achieve their overall objectives. Inference is that the converse applies if the development moves forward.
K-055-155	17	17-19	Figure 17.1.5			Appears that Glass Breakwater is outlined in the figure as a military installation. Unclear how this is important or relevant to hazardous material /waste and/or UNO.

### K-055-089

Thank you for your comment. As documented in this EIS, DoD acknowledges the existing sub-standard conditions of key public infrastructure systems and social services on Guam and the interest to have DoD fund improvements to these systems and services. DoD's ability to fund actions is limited by Federal law. However, to minimize adverse impacts associated with the proposed military relocation program, DoD is leading a federal inter-agency effort to identify other Federal programs and funding sources that could benefit the people of Guam.

### K-055-090

Thank you for your comment. DoD has been a longstanding member of the community. The Navy, Air Force, and Army forces on Guam are committed to protect the territory of Guam, its citizens, and U.S. forces on Guam from the threat of harm from terrorist attacks from other countries and enemies of the U.S. In the event of a terrorist attack, U.S. forces on Guam would work with the various Guam agencies to support the civilian population. The intent of the proposed Army Air and Missile Defense Task Force component of the proposed action is to protect the territory of Guam, its citizens, and U.S. forces on Guam from the threat of harm from ballistic missile attacks from other countries and enemies of the U.S. defense of Guam will continue to be a focus of the DoD. The Navy understands the importance of emergency response planning and will work with the government of Guam to ensure DoD's participation during the planning and implementation of emergency preparedness on Guam.

### K-055-091

Thank you for your comment. The paragraph your comment refers to contains data points and explanations which lead to the conclusion you mention.

<b>K-055-156</b>	2	17	17-34	Table 17.1-5	Table address potentially contaminated sites near Power Plant along Route 11 between the Port and Route 1. Suggestion of potential soil and groundwater contamination adjacent to the Power Plant. Suggestion of potential PCB contamination in power poles along Route 11.
<b>K-055-157</b>	3	18	18-2		Explain how access control relates to environmental circumstances.
<b>K-055-158</b>	4	2	2-32	Subsection: Security/Biosecurity	First paragraph under Security/Biosecurity describes fences. Level of detail should be carried throughout the document for different areas/functions being considered.
<b>K-055-159</b>	4	10	10-6	Paragraph 3	Accidental releases of petroleum that could migrate within Apra Harbor.
<b>K-055-160</b>	5	10	10-12	Bullet 1	Implied that invasive species enter through Port shipment of supplies and equipment.
<b>K-055-161</b>	5	11	11-37	Table 11.1-5	Spinner dolphin is listed as species of greatest conservation need; noted on regular basis in Apra Harbor.
<b>K-055-162</b>	5	16	16-10	Paragraph 2	Types of tourism restrictions that would be enacted during carrier ingress and egress should be addressed.
<b>K-055-163</b>	5	18	18-1	Table 18.2-1, 18.2-2 & 18.2-3	Appears to be inconsistent information in tables. Tables 18.2-1 and 18.2-2 indicate no impacts during construction and operation from UXO. However, Table 18.2-3 indicates "less than significant impact" from UXO.
<b>K-055-164</b>	5	2	2-5	Section 2.3.2.2	Types of physical measures that are necessary to meet the munitions storage force protection requirements should be provided.
<b>K-055-165</b>	5	2	2-7	Figure 2.3-1	Figure is unclear.
<b>K-055-166</b>	5	12	12-2	Section 12.2.1.2	Unclear how the decision will be made as to security requirements for historic properties and when the military interests will supersede cultural and historic interests.
<b>K-055-167</b>	6	2	2-107	Last Paragraph	States that the structural integrity of the Commercial Port Bridge was not evaluated because it is a culvert. Therefore, within the document we are essentially lead to believe that we don't know its capacity to handle the increased traffic loads associated with the buildup.
<b>K-055-168</b>	6	2	2-120	Table 2.5-3	Guam Roadway Network (GRN) Improvements No. 13 and No. 14 call for pavement strengthening of Route 1 near Routes 11 and 6 which may disrupt commercial and construction-related truck movements into and out of Port facilities.
<b>K-055-169</b>	6	2	2-123	Figure 2.5-8	Timing of GRN improvements is shown. Improvements to Route 11 and to the intersection of Route 1/Route 11 are slated for 2011. Upgrades to Route 1 north and south of Route 11 are expected in 2013. These coincide and conflict with the Port repair and main
	6	2	2-124	Section 2.5.1.8	First paragraph states that construction of the GRN improvements "would occur from 2010 to 2016 with peak construction 2013". This coincides with the Port's repair and maintenance schedule of 2010-2013.
	6	2	2-124	Table 2.5-4	Further evidence of overlapping schedules between GRN activities and Port repair and maintenance work. Note Route 1 and 11 improvements shown as being completed in 2011.
	6	3	3-9	Figure 3.1-3	States that the Navy owns potable water systems in the Port.

It is also noted that the EIS process provides information on environmental impacts (this includes the human environment); however, there is a limit to the specific details of the impacts because the information used is based on the continuation of existing trends and behaviors. While it is not an exact science, the EIS process along with the comments received provide information to the decision makers on the anticipated impacts of the proposed action. It is also noted that the Socioeconomic Impact Assessment Study (SIAS) discussed an unconstrained (maximal) scenario and a constrained scenario. The two scenarios represent a range of impacts that could occur should the proposed project be implemented under the current schedule.

**K-055-092**

Thank you for your comment. The jobs that would be created by the proposed action would be a possible source of jobs for new high school graduates.

**K-055-093**

Thank you for your comment. The source of Figure 2.1-1 is Public Use Microdata Sample (PUMS) data, for Guam, from the U.S. Census. A reference has been added, below the figure, to the FEIS. The highlighted area of the figure represents a period of time when there was a high level of construction activity on Guam. The data is presented as-gathered.

**K-055-094**

Thank you for your comment. The information provided in the DEIS and the Socioeconomic Impact Assessment Study (SIAS) are estimates of the potential impacts based on the information and assumptions provided in the SIAS (Appendix F in Volume 9 of the DEIS). The assumptions include using published information as well as interviews with local agencies, organizations and business and

<b>K-055-170</b>	4	4-66	Table 4.2-5	Route 1 volume-to-capacity (V/C) ratio would exceed 1.00 in Tamuning by 2014 which is an area where Port of Guam trucks (commercial and construction related) pass through. Relates to Alternatives 1 and 2.	
6	4	4-70	Figure 4.2-20	Similar to above - Route 1 V/C ratio is shown to be greater than 1.0 by 2014 (in fact > 1.15) which may affect Port truck movements. Level of Service (LOS) for intersection of Route 1 and Route 11 is shown to be at "E" by 2014 during the PM peak hour. This high level of congestion may affect commercial truck movements to/from the Port of Guam.	
6	4	4-81	Table 4.2-10	Same as above, LOS for Route 1/Route 11 is shown to be at "E" by 2014 for the PM peak hour. Such high level of congestion could influence truck movement efficiency.	
6	4	4-107	Table 4.2-18	Similar to Comment #3 where V/C ratio is shown to be greater than 1.0 by 2014 during the PM peak hour for (Alternative 8). May affect truck movements to/from the Port of Guam.	
<b>K-055-171</b>	7	7-9	Paragraph 4	JGPO should analyze the cumulative effects of the Port reconfiguration, maintenance and repair project.	
<b>K-055-172</b>	7	7-36	Subsection: Apra Harbor	The DEIS does not analyze queuing on Port property into and out of the gate as a result of an increase in cargo that will occur. DEIS did not evaluate noise impacts at the public beaches near Rte. 11 and the Port. Additionally JGPO DEIS did not evaluate noise impacts to the 24-hour security presence at the Port.	
<b>K-055-173</b>	8	8-1	Line 11	Item 13: States that surveys will be conducted to identify and remove ordinance from the work site; previously in Volume 4 it was stated that surveys will be conducted only if review indicated a necessity. The table does not indicate BMP's to minimize affects to AQ. If there are BMP's to minimize potential affects to AQ suggest adding these to the table.	
<b>K-055-174</b>	2	2-2	Table 2.1-1	Type of navigational restrictions that will be in place during aircraft carrier transits should be addressed.	
<b>K-055-175</b>	2	2-2	Table 2.1-1		
<b>K-055-176</b>	3	3-47	Entire Page		
<b>K-055-177</b>	3	3-70	Section 3.3.17.1	States that established SOPs implemented prior to construction would mitigate the impact from UXO to "less than significant".	
<b>K-055-178</b>	4	entire table	Table 4.3-1	Port maintenance, repair and reconfiguration project is not included in the cumulative effects analysis and logistics.	
<b>K-055-179</b>	7	4	4-11	Table 4.3-1	AH-19 - construct new wharf east of Hotel Wharf to accommodate deep-draft container vessels and cruise ships. Dredging and filling of GovGuam submerged lands required. Construction timeframe is 2021-2025 and the project was not included in the cumulative effects analysis.
<b>K-055-180</b>	ES	ES-35	Table ES-4	The JGPO DEIS indicates that significant affects to AQ could occur at some existing power generating facilities due to increased use under the preferred alternative. Suggest adding AQ impacts and potential mitigation measures to the summary table.	

individuals who have various economic or social expertise.

It is also noted that the EIS process provides information on environmental impacts (this includes the human environment); however, there is a limit to the specific details of the impacts because the information used is based on the continuation of existing trends and behaviors. While it is not an exact science, the EIS process along with the comments received provide information to the decision makers on the anticipated impacts of the proposed action. It is also noted that the Socioeconomic Impact Assessment Study (SIAS) discussed an unconstrained (maximal) scenario and a constrained scenario. The two scenarios represent a range of impacts that could occur should the proposed project be implemented under the current schedule.

**K-055-095**

Thank you for your comment. Economic Impact Analysis presented in the Socioeconomic Impact Assessment Study (Appendix F of the DEIS) provides two scenarios that create a range of impacts. The unconstrained scenario represents the higher bound of the range where indirect benefits are not affected by any damage done during the financial crisis.

**K-055-096**

Thank you for your comment.

**K-055-097**

Thank you for your comment. Public comments on the Draft EIS are an important part of the decision-making process. This information becomes part of the Final EIS and is evaluated when DoD prepares the Final EIS and issues a Record of Decision at the end of the National Environmental Policy Act (NEPA) process. The section to which you refer has been updated for the Final EIS.

K-055-181	Appendix A			The JGPO DEIS states that the addition of a new power plant near the Port (PPI) is assumed to be a significant source of air pollution which will be able to be mitigated. Nevertheless detailed analysis has not been conducted. There are security guards at the entrance to the fuel tank facility which are considered sensitive receptors for air quality and noise.
K-055-182	Appendix A	20 of pdf	Federal, State, Local Agencies	Joseph Duenas, Acting General Manager for PAG, attended the Public Scoping Mtg in April 2007
K-055-183	Appendix A			There is no table of contents for each subject/section forcing someone to page through thousands of pages to see what the contents are. The firms and individuals who prepared the reports are not listed as preparers in the DEIS even though the information
K-055-184	General Observation			Construction schedule beginning in 2010 appears overly optimistic (i.e. to begin shortly after the ROD in late summer 2010).
K-055-185	General Observation			Aircraft carrier berthing - deep draft air carrier wharf: Polaris Point dredging will create competition for available resources, have potential cumulative effects on marine environmental resources for non-JGPO projects that require dredging or significant marine construction within same ecosystem; and could potentially affect vessels which are trying to navigate into the Port.
K-055-186	General Observation			New Power plant proposed at PPI adjacent to the Port proposed as a long-term alternative. An impact analysis has not been conducted. Property appears to be owned by PAG
K-055-187	General Observation			Coral aggregate will be coming into the Port. The JGPO DEIS does not state who will be conducting security screenings on the aggregate or address how the incoming aggregate could affect normally occurring Port operations and the proposed Port reconfiguration and maintenance and repair project.
K-055-188	General Observation			The JGPO DEIS states that dredged material from dredging at Polaris Point could be removed by Gov Guam including PAG. Not so.
K-055-189	General Observation			Fuel for the power plants will arrive at the Port. This creates the potential for spills on port property. Document does not address this or delineate responsibility for clean-up.
K-055-190	General Observation			JGPO DEIS states that construction will be 2010-2020, with peak in 2014. Port EA assumes construction is 2010 to 2013.
K-055-191	General Observation			JGPO DEIS states roadway improvements planned to major Port access roads Route 11 and Route 1; all roadway work will take place between 2011 to 2016; no specifics given.
K-055-192	General Observation			Preferred alternative in JGPO DEIS may not be final alternative implemented. Procedurally, the Port EA can only consider the preferred alternative as stated in the JGPO DEIS when evaluating cumulative impacts between the projects.

### K-055-098

Thank you for your comment. As documented in this EIS, DoD acknowledges the existing sub-standard conditions of key public infrastructure systems and social services on Guam and the interest to have DoD fund improvements to these systems and services. DoD's ability to fund actions is limited by Federal law. However, to minimize adverse impacts associated with the proposed military relocation program, DoD is leading a federal inter-agency effort to identify other Federal programs and funding sources that could benefit the people of Guam.

Another study, funded by DoD's Office of Economic Adjustment is underway, this is the Fiscal Impact Assessment that identifies the needs of the government of Guam and where the money to fund the needs could come from.

### K-055-099

Thank you for your comment. Topics such as war reparations are important issues but are not part of the proposed action. Comments related to these issues were numerous and indicate underlying social and political dissatisfaction with a broader range of federal-territorial relations outside the scope of DoD legal authority. The various EIS public engagement forums provided an indirect avenue for informing local and federal policy-makers of issues that are important to a significant segment of the community.

### K-055-100

Thank you for your comment. The Socioeconomic Impact Assessment Study (SIAS) and the Draft EIS are documents that have identified the probable impacts of the proposed action and alternatives based on the best available information. Existing data and information was gathered and supplemented with interviews with federal and Guam agencies. To provide the public and various governmental agencies with an opportunity to review and comment on the methodologies and

K-055-193	Observation			The DEIS does not address how Port construction for the maintenance and repair project and normal operations will be carried out while JGPO construction is ongoing.
K-055-194	Observation			The DEIS does not address how JGPO roadway construction will affect construction vehicle (for maintenance and repair project) and regular vehicle access to the Port.
K-055-195	Observation			The DEIS does not adequately address the handling of increases in cargo related to construction of JGPO's action while simultaneously constructing the Port.
General	Observation			There is significant mention of issues having potential impacts to the Port. There is the absence of an assessment of how the port will handle the cargo when it loses capacity while replacing the waterfront (bulkhead) structures and performing dredging. There is the absence of a cumulative impacts assessment between the JGPO projects and the Port's project. The Port project is incorrectly characterized, i.e., the Overall Modernization Program in the Master Plan rather than the Port's only announced (but currently unfunded) project (Maintenance and Repair Project). There is no assessment of the disruption to marine traffic destined for the Port during their 6 - 18 month period of dredging a 600 foot wide channel through Apra Harbor. There is no assessment of traffic impacts to the Port when Route 11 and Route 11 1/2 Intersection work takes place. There is no apparent assessment of how the competition for resources could affect workforce availability, the price of labor, and the price for materials for JGPO and the Port's projects.

assumptions used, the SIAS was included as Appendix F, Volume 9 of the Draft EIS. Comments provided on the Draft EIS will also be included to provide the decision-makers with the public views in support and/or opposition of the proposed action and alternatives.

**K-055-101**

Thank you for your comment. The Hawaii economic model was utilized because there is no Guam economic model. Careful and diligent effort was undertaken to ensure that the results of the economic impact analysis reflected the unique circumstances of the Guam economy. Also, please note that the Socioeconomic Impact Assessment Study (Appendix F in Volume 9 of the DEIS) produces both an unconstrained and a constrained analysis; while both analysis were customized to represent Guam, the constrained analysis used multipliers that were reduced greatly from standard Hawaii multipliers and lower than any typical modern multiplier.

**K-055-102**

Thank you for your comment. Please see Section 4.4.1 of the Socioeconomic Impact Assessment Study (SIAS), which is Appendix F, Volume 9 of the DEIS for information on the expected impacts the proposed action would have on the government of Guam's (agencies) staffing requirements. The analysis in the SIAS includes both direct and indirect impacts including those who move to Guam for work related to the proposed action. Another study, funded by DoD's Office of Economic Adjustment is underway, this is the Fiscal Impact Assessment that identifies the needs of the government of Guam and where the money to fund the needs could come from.

**K-055-103**

Thank you for your comment. The intent of the economic impact analysis in the DEIS is to project the expected benefits, to the Guam economy,

		Comment
K-055-196	ES-5	Proposed Actions include a) Marine - Construction of infrastructure and facilities; b) Navy - Construction of new wharf with shoreside infrastructure; c) Army - Construction of infrastructure and AMTF
		Each of the Volumes of the DEIS describe <u>general</u> activities related to the main components of the <i>Proposed Actions</i> described above. Considering the lack of specific information on all the materials to be used, the impact of solid, toxic and hazardous waste management has not been provided and therefore <u>cannot be adequately evaluated</u> for each of the specific activities described in the Volumes. Therefore, to facilitate clarity and consistency, Guam EPA recommends that a <u>separate Solid Waste Management &amp; Disposal Plan</u> . This Plan must include a waste composition study to address the anticipated wastes associated with each activity, its impact to the existing management options, and how will the waste streams be managed.
	ES-27 Figure ES-6a	According to Figure ES-6a, "Basic alternative)Use existing Navy Apra Harbor Landfill Until New Public Landfill at Layon is Ready. However, both facilities are <u>not permitted to accept all wastes</u> at their respective locations. Although the Layon Municipal Solid Waste Landfill (MSWL) was permitted in November 23, 2009, the facility, once operational, is only permitted to accept residential and commercial solid waste. The Layon MSWL is <u>not permitted to accept certain wastes streams such as, but not limited to, hazardous waste, asbestos, lead-abatement wastes, construction &amp; demolition wastes, and green wastes.</u>
		Based on the <i>Proposed Actions</i> , the <i>Plan</i> must address at a minimum, but not limited to, the following waste streams:
		1. <b>Construction &amp; Demolition Debris</b> - Options must be described for the management of these wastes either for land disposal, reuse or recycling. As a reminder, all the storage, processing, and disposal of construction & demolition debris requires a Guam EPA-issued solid waste management facility permit <u>prior</u> to any action taken. Moreover, the transportation of construction and demolition debris must be from a company with a valid Solid Waste Collection Permit.
		2. <b>Green Waste</b> - In anticipation of the vegetative wastes generated from clearing and grading, beneficial use options must be described for the management of this waste stream.
		3. <b>Municipal Solid Waste</b> - The Plan must include clear instructions that all municipal solid wastes generated from temporary workers, military personnel, military dependants, and support services are to be disposed <u>only</u> at Guam EPA-permitted Solid Waste Management Facilities.

that are associated with proposed action. Projected economic benefits to the Guam economy are presented in the Socioeconomic Impact Assessment Study (SIAS which is Appendix F of the EIS). The expected magnitude of economic benefit, in dollar terms, is best represented through the GIP measure which is provided for each action individually and for all actions combined (the combined measure can be found in the SIAS). Analysis of GIP assumes (based on contractor interviews) that about 17% of construction dollars will be spent in the Guam economy.

### K-055-104

Thank you for your comments. Our data will be checked per your comments and the appropriate edits made in the FEIS. It is also noted that the EIS process provides information on environmental impacts (this includes the human environment); however, there is a limit to the specific details of the impacts because the information used is based on the continuation of existing trends and behaviors. While it is not an exact science, the EIS process along with the comments received provide information to the decision makers on the anticipated impacts of the proposed action. It is also noted that the Socioeconomic Impact Assessment Study (SIAS) discussed an unconstrained (maximal) scenario and a constrained scenario. The two scenarios represent a range of impacts that could occur should the proposed project be implemented under the current schedule. The SIAS is provided as Appendix F, Volume 9 of the DEIS.

Relating to cost of living and the proposed military buildup, it is noted that the history of inflation and recession of Guam's economy from the 1970s to present was provided on page 3-47 of the Socioeconomic Impact Assessment Study (SIAS). In subsection 4.3.1.4 (beginning page 4-10) of the SIAS, the subject of impact on the standard of living is addressed, stating: "Standard of living is a measure of purchasing power. If the standard of living increases for a person it means they can purchase more goods and services. If the standard of living declines for

K-055-197	1	2.2.4	2-15	<p>4. <b>Waste Munitions</b> - The Plan must describe the management of waste munitions generated from training activities related to the <i>Small Arms Range Complex, Machine Gun Multi-Purpose Range, Hand Grenade Range, and Demolition Range</i>, to include at a minimum, but not limited to, disposal practices of spent casings, scheduled inspections, and periodic sampling and analysis to identify impacts, if any, to the environment and biota.</p> <p>5. <b>Hazardous Waste</b> - The Plan must describe the management of all hazardous waste generated, as defined under RCRA C, and meet all the requirements specified under <i>Guam's Hazardous Waste Management Regulations</i>.</p>
K-055-198				<p>6. <b>Ship-Generated Waste and Cargo Residues</b> - The Plan must describe the management of all ship-generated waste, that is, any kind of waste, including sewage, and residues other than cargo residues, which are generated during the operation of a ship and cargo-associated waste. The disposal of this waste stream may only be offered to reception facilities suitable for receiving ship-generated waste or cargo residues which have a valid Guam EPA Solid Waste Management Facility permit. This shall include fixed facilities as well as floating and mobile units. Wastes classified as a Hazardous Waste must be managed according to Guam's Hazardous Waste Management Regulations.</p>
K-055-199				<p>7. <b>Medical &amp; Dental Wastes</b> - The Plan should address the management of common wastes associated with this activity, such as, but not limited to chemical solutions, x-ray processing wastes, sterilizing solutions (ex. Glutaraldehyde and orthophthaldehyde), formalin, biohazardous wastes, lead foil film backing, mercury, scrap dental amalgam, fluorescent tubes and batteries.</p> <p>8. <b>Dredged Spoils</b> - The Plan should address the assessment and management of dredged spoils in a way that will prevent pollution of the marine environment. The Plan must include the sampling and analysis of substances that are toxic, persistent or liable to accumulation in biological materials or sediments. In addition, the Plan must include all background or historical data referenced to support the assumptions made. The characterization of this waste stream, whether through upland placement, benicial use, or ocean disposal.</p> <p>9. <b>Waterfront Wastes</b> - The Plan must address the management of wastes generated from equipment cleaning &amp; biohazards</p>
K-055-200				<p>10. <b>Special Wastes</b> - The Plan must address the management of wastes tires, white goods, brown goods, junk vehicles, ferrous and non-ferrous wastes.</p>
				<b>RECOMMENDED ACTIONS:</b>
K-055-201				a. Based on the insufficient information provided on wastes generation, I am recommending <b>NO ACTION</b> .

that person, he or she can purchase fewer goods and services. Changes in a person's standard of living are determined by their income and the prices of the goods and services they tend to purchase. A person's standard of living will increase if their income rises faster than the prices of goods and services they tend to purchase. A person's standard of living will decline if the prices of goods and services they tend to purchase rise faster than the person's income. In both the construction and operational components, the average wage of workers would increase as a function of greater demand for labor. However, the price of goods and services purchased by individuals would rise as well. It cannot be definitively predicted whether wages or the price of goods and services would increase at a faster pace. If wages earned by a particular household rise more quickly than the price of goods and services, then the standard of living would increase. If the price of goods and services rises more quickly than wages, the standard of living would decrease. For households on fixed incomes, the result would be reduced purchasing power. Those with the ability to quickly renegotiate their wages will have a better chance at maintaining or increasing their standard of living." On page 4-11 of the SIAS, the discussion continues and discusses the income of military related construction and operational jobs that will, on the average, be higher than the present average wages on Guam. It concludes: "In terms of cost of living, from 2000 to 2008 Guam workers have seen their standard of living decline by 30% and there is no reason to expect the military buildup to reverse that trend – Guam workers will likely to continue to see the cost of goods and services rise faster than their incomes. While the proposed action may not represent a reversal of this trend, it will slow the rate of decline in the standard of living that has been prevalent since 2000."

#### K-055-105

Thank you for your comment. Since the publication of the Draft EIS, the DoD has considered examples of force flow reductions. These examples of force flow reductions are included in Volume 1 and Volume

K-055-202				b. Although DoD has expressed that it eventually will be a rate paying customer to the Government of Guam, DoD should be tasked to contribute to the construction and development of the Layon Municipal Solid Waste Landfill prior to operation. The percentage of contribution to the construction and development of the Layon MSW Landfill should be based on the amount of waste generated from DoD and non-DoD proposed action related projections.
K-055-203	1	ES	17-25	Why aren't three separate, less unwieldy EIS's being done for the individual Army, Navy and Marines actions? The Air Force is also expanding facilities on Guam which must relate to and coordinate with the other three branches, but the Air Force actions are being treated separately under NEPA.
	1	ES	17-26	Why aren't three separate, less unwieldy EIS's being done for the individual Army, Navy and Marines actions? The Air Force is also expanding facilities on Guam which must relate to and coordinate with the other three branches, but the Air Force actions are being treated separately under NEPA.
K-055-204	52	Population		Construction population impacts of workers depends on how many are H-2. Numbers of preferred US or FAS citizen workers should be increased over 472. XXX just one sector?
	1	ES	59	Population. Labor Force, Housing Demand, Public Services, etc. impacts should be much higher if preferred US and FAS workers are employed rather than H-2 workers. XXX just one sector?
K-055-205	ES-34	ES-4		Roadway noise would be a significant impact in the north and central areas of Guam. Mitigation was not provided. Mitigation is a critical part of the NEPA process and impacts need to be mitigated.
K-055-206	ES-34	ES-4		Overland flight path noise from aircraft operations/airdrop and from AFB, NWF, Landing Zones and Orote would be a significant impact to residents and endangered species especially during the off-hours operations. This potential noise impact was not addressed in the DEIS. No alternatives were provided. No mitigation was provided cumulative noise impacts would also need to be addressed.
K-055-207	12	9-5		Explain why mechanical dredging is environmentally better or worse than hydraulic dredging. Would hydraulic dredging create less silt and sediment impacts at dredge impact sites, if proper dewatering to protect the marine waters is practiced?
K-055-208	1 2	12	14 & 15	Beneficial uses can be found related to the numerous activities ongoing and proposed on DOD bases on Guam. Also beneficial uses outside of military activities must be considered. There must be consideration of use as land fill cover, road base, rehabilitation of old quarries, fill for port expansion, fill for adaptation to sea level rise, etc. Beneficial uses must be investigated and discussed in the EIS. Information on the quality of materials to be dredged and their appropriate beneficial uses is necessary in the EIS.

7 of the Final EIS and illustrate the reduction of population (flattening of the curve) during the peak construction period for the proposed military relocation program.

**K-055-106**

Thank you for your comment. The Final EIS has included expanded mitigation discussions.

**K-055-107**

Thank you for your comment. The FEIS includes a discussion of examples of force flow reduction that would flatten out the peak of construction activities with commensurate reduction in impacts during the construction phase of the proposed military relocation program.

**K-055-108**

Thank you for your comment. The CSS was described on page 3-77: A Compatibility Sustainability Study (CSS) is being prepared as a joint effort between GovGuam and the military. The program is managed by the Office of the Governor and funded through a grant provided by DoD and Office of Economic Adjustment. The CSS would likely address many of the secondary impacts anticipated under the preferred alternatives. The primary goal of the CSS is to reduce potential conflicts that could occur between military installations and the Guam community while sustaining economic vitality, accommodating a targeted job development, protecting public health and safety and maintaining the military mission. The CSS will examine existing land use, growth trends, and development potential. Recommendations and strategies will be developed to promote compatible land use planning. A series of community meeting will be held to collect public input into the process. More information is available online at the following address: <http://www.one.guam.gov/>. The CSS study will not be completed until the end of 2010 and will not be available for inclusion in the FEIS.

Comment					
K-055-209	12	24 & 25	What are the levels of contamination in recently dredged materials from Inner Apra Harbor and near Bravo Wharf that are in confined areas on Navy Base now? Are there restrictions on their re-use and have beneficial uses been planned for them? Can they be included in beneficial uses to be identified for dredging actions addressed in this EIS?		
K-055-210	15	40	Are the "high value munitions, being stored at NMS? Are there special safety arcs and restrictions on them?		
K-055-211	1	22	20-22	Explain why mechanical dredging is claimed to be environmentally worse than hydraulic dredging. Experience with dredging to proposed depths for CVN use, using mechanical dredging, as at Kilo Wharf, proves that silt curtains are not able to contain silt at depths over 30 feet. Wouldn't hydraulic dredging create less silt and sediment impacts at dredge impact sites at these depths, if proper dewatering to protect the marine waters is practiced? If so, it should be the preferred method.	
K-055-212	33	Tbl	In the peak construction year of 2014, why does the DEIS propose over 30,000 of the needed construction workers will not be from off-Guam? Is this possible, to have that many local construction workers?		
K-055-213	35	31	If aggregate is not being imported, what quarries will supply this? What quantities will be needed? Will any quarries on DOD land be used? What are impacts of the increased quarrying activity?		
K-055-214	5	4	How far off shore would the SDZ extend? How many acres of submerged land would be included?		
K-055-215	1	3	15	28	Was the option of improving the removal of TCE from water produced at the Maui infiltration tunnel in Tumon considered and renewing use of this highly productive DOD facility? This could re-establish use of a dependable water source while removing contaminants from Guam's Northern Aquifer (established as a sole source aquifer by US EPA). Carbon filtration, as used at a Guam International Airport well may need to replace the existing AAFB air stripping facility for TCE removal.
K-055-216	3	BMP 7 to 21	Aren't Marine Bio. Resources also protected by these BMP's?		
K-055-217	3	BMP 19	Besides silt curtains, bubble curtains and alternative dredging techniques should be considered		
K-055-218	5	BMP 32, 36 & 37	Aren't Marine Bio. Resources also protected by these BMP's?		
K-055-219			In all activities creating impervious areas from buildings, roads, docks, parking lots, etc., stormwater must be managed on site and pollutants removed before it is discharged to any surface waters.		
K-055-220	1	ES	ES-34	ES-4	Roadway noise would be a significant impact in the north and central areas of Guam. Mitigation was not provided. Mitigation is a critical part of the NEPA process and impacts need to be mitigated.

### K-055-109

Thank you for your comment. As documented in this EIS, DoD acknowledges the existing sub-standard conditions of key public infrastructure systems and social services on Guam and the interest to have DoD fund improvements to these systems and services. DoD's ability to fund actions is limited by federal law. However, to minimize adverse impacts associated with the proposed military relocation program, DoD is leading a federal inter-agency effort to identify other federal programs and funding sources that could benefit the people of Guam. DoD commitment to mitigation measures would be indicated in the Record of Decision (ROD).

### K-055-110

Thank you for your comment. Projected costs included in Table 4.3-37 are projected based on the data source you mention. The data are adjusted downward to represent spending within the Guam economy (imports are excluded), to avoid overstatement of beneficial economic impacts.

### K-055-111

Thank you for your comments. Appropriate changes have been made to the FEIS.

### K-055-112

Thank you for your comment. It is not expected that by 2019 base operational expenditures will cease; rather they would cease to increase. As there would be no increases in expenditures associated with the proposed action, there would be no additional population associated to the proposed action. The FEIS has been revised.

### K-055-113

Thank you for your comment.

<b>K-055-221</b>	1	ES	ES-34	ES-4	Overland flight path noise from aircraft operations/airdrop and from AFB,NWF,Landing Zones and Oroto would be a significant impact to residents and endangered species especially during the off-hours operations. This potential noise impact was not addressed in the DEIS. No alternatives were provided. No mitigation was provided cumulative noise impacts would also need to be addressed.
<b>K-055-222</b>					The Socio-Economic Impact Study(SEIS) done for these proposed actions apparently has been completed for some time and its results should be added to the DEIS and the SEIS should be appended to the DEIS.
<b>K-055-223</b>	2	2	137	2	Why can't dredged material from the CVN project be used beneficially for berms at firing ranges?
<b>K-055-224</b>			97	41	Beach landings have not been on-going at Dadi and Tipalao, except for a trial LCAC landing years ago that proved damaging. They should not be approved nor undertaken there because of impacts to marine life.
<b>K-055-225</b>			111	10	The dredged material also might be used beneficially for berms at firing ranges. Can quantities needed and quality related to expected dredged material be discussed or assessed?
<b>K-055-226</b>			113	25	What is a "typical Guam storm event", used as a basis of design? A 25-year storm?
<b>K-055-227</b>	2	3	1-39	line 35	The upland placement sites are enclosed by earthen berms approximately 16 to 30 ft in height. Considering 5-sites for upland placement, this will require large volume of materials (Table D-1 Vol 9 Appendix D : Approx. vol=1.8 million cu. yd.) to be used as earthen berms; where is the source or supply be coming from? It was mentioned in line 37 that no soil or fill would be brought to site for construction. Is this means that earthen berm will be taken at the site? EIS must clearly identify the source in order for the reviewer to fully figure out the consequences.

#### K-055-114

Thank you for your comment. None of the proposed actions on Andersen AFB would impact access to coastal private lands or the U.S. Wildlife facility. There will be unrestricted access along Route 3a. The proposed actions at northwest field (NWF) include Marine Corps actions as well as Army actions. The Army enclosures and buildings will change the open space landscape along Route 3a under Alternatives 1 and 2, but would not impact the private coastal lands. No missiles would be launched during training. The noise generated would be minor and associated with vehicular traffic and intermittent use of an emergency generator. The Army proposed actions would be compatible with the proposed hotel/resort zoning designation of the coastal private lands. No mitigation or compensation is warranted. The Marine Corps proposed actions include aviation training NWF and demolition training as listed in Table 2.3-1 of the Draft EIS. The demolition training would occur at the existing demolition range. No other live-fire training ranges are proposed at NWF. The improved airfield training would occur at the existing NWF airfield where training already occurs. Maneuver training is not proposed for NWF. The Marine Corps demolition training would occur 2 days per year with three detonations per day. These activities are so infrequent that their impact is considered less than significant and no mitigation is proposed. The noise contour for the Marine Corps aviation training at NWF and the operations at the main airfield of Andersen AFB is shown on Figure 6.2-1 of the Draft EIS. The 60 decibel level contour extends slightly off base into the private coastal land, however 60 dB is relatively low and all land uses are compatible with this noise level. No impacts to development rights of Tract 34000 are anticipated.

#### K-055-115

Thank you for your comment. A zoning map is being developed by GovGuam agencies, but is not updated with every zone change and was not available for inclusion in the EIS. The North and Central Land Use Plan is not adopted by legislature and this is acknowledged in the EIS

K-055-228	6	3	8-20	South Finegayan; the wastewater collection system is a gravity sewer system connected to GWA ww collection system. EIS must consider collection system assessment from downline of connection point (GWA line) existing collection system might not capable of handling additional flow like: pump station design capacity, existing pipeline design and generator capacity. In relation to collection system and treatment facility's, who will be responsible in the operation and maintenance. If DoD will utilize NDWWTP is there any agreement between DoD and GWA regarding operation and maintenance of both collection systems and treatment systems, EIS need to specify to ensure that proper operation and maintenance of the system will be applied to ensure that overflow problems and public health issues will be eliminated.
K-055-229			8-54	Desalination with reverse osmosis was chosen as the long term alternative for water supply. Where should be the planned point of discharge for any waste or residue from treatment process?
K-055-230			2-84	Item 2.3.7.1 Build new DoD stand alone secondary treatment plant and construct a new ocean outfall. The planned location of outfall (based on page 2-89 map) is within the western coastline, GEPA is not confident to allow additional outfall to the two existing outfall located close to each other.
K-055-231	7	2	2-6 Table 2.1-1	Item #7 LID- In consideration that Northern Watershed are mostly covered of DoD land and within the Ground Water Sole Source Aquifer, it must also consider Watershed protection management approach by : 1. Participating in the development of watershed management plan and implement and adopt specific watershed protection strategies. 2. Better site design or effective land use planning techniques to reduce or shift impervious cover. 3. Land conservation and other obtain consensus of the most important water resources goals in order to ensure or
K-055-232			115 20	Would hydrology supporting nearby wetlands or mangroves be impacted by the road and facilities?

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Volume 2, Section 8.1.1.2. It was an important resource when assessing the land use impacts because 1) there was an extensive public involvement component that captured the community land use planning objectives, 2) it was current, and 3) it represented best available information. Volume 2, Chapter 8 describes the planned land uses presented in the North and Central Land Use Plan and assesses whether the proposed action is consistent or compatible with the Plan.

**K-055-116**

Thank you for your comment. Long term traffic impacts along Polaris Point Road are expected to be minimal and busiest only occasionally when aircraft carriers are visiting Guam. The FEIS evaluated the traffic impacts that would be expected on an everyday basis, Polaris Point Road and it's intersection with Route 1 currently operate a levels much below capacity and no traffic impacts are expected.

**K-055-117**

Thank you for your comment. As documented in this EIS, DoD acknowledges the existing sub-standard conditions of key public infrastructure systems and social services on Guam and the interest to have DoD fund improvements to these systems and services. DoD's ability to fund actions is limited by federal law. However, to minimize adverse impacts associated with the proposed military relocation program, DoD is leading a federal inter-agency effort to identify other federal programs and funding sources that could benefit the people of Guam.

**K-055-118**

Thank you for your comment. The discussion of adaptive program management has been revised in the FEIS based on public and agency comments (Volume 7, Chapter 2). Although the measure would

<b>K-055-233</b>	2	4	53	Throughout Section 4.2, for each resource concern, the DEIS simply notes that BMP's will be used and laws followed and therefore there will not be significant impacts and that impacts and practices will be similar to other alternatives or other sites, keeps being repeated without specifying the impacts and practices and mitigation for specific resources and sites. This repetition implies that the impacts, BMP's and mitigation for actions at each site were not adequately assessed in the preparation of this DEIS and this coverage in the DEIS is meaningless. Although issues may be addressed in other chapters, this makes the DEIS difficult for reviewers to evaluate.	
<b>K-055-234</b>			12 & 13	"Nearshore" waters averaging 10 meters depth does not relate to Guam, where where reef flats and steep reef slopes predominate. Rewrite this.	
<b>K-055-235</b>	2	4	19	G-2 and G-3	The mapped GWMPZ is no longer applicable under Guam law. Protected groundwater area is now recognized as land over the entire Northern Guam Aquifer, from coastline to coastline, not an arbitrarily mapped zone that excluded coastal lands. This removal of the application of the earlier GWMPZ mapped boundaries is based on Guam Public Law.
	2	4	19	28 & 29	All of Anderson AFB lies over the Guam Northern Aquifer. The mapped GWMPZ is no longer applicable under Guam law. Protected groundwater area is now recognized as land over the entire Northern Guam Aquifer, from coastline to coastline, not an arbitrarily mapped zone that excluded coastal lands. This removal of the application of the earlier GWMPZ mapped boundaries is based on Guam Public Law.
<b>K-055-236</b>	2	4	19	33 & 34	TCE and PCE contaminants from previous Anderson AFB discharges remain in the Guam Northern Aquifer and remain a risk. AAFB has stopped the active removal of this contaminant, which it had done in recent years. To allow safe expanded production of well water to meet future needs, the DOD should not leave such contamination in the groundwater for those using this water to clean up or limiting the availability of safe groundwater to develop. Instead, the DOD should remove these toxics and allow safe water to be produced again in the currently contaminated areas.
<b>K-055-237</b>			10	10	Provide a map showing NGLA subbasins locations.

primarily address infrastructure issues, benefits to additional resources are identified.

**K-055-119**

Thank you for your comment. The flow chart is notional and focuses on the general steps in the process. It is not intended to identify roles and responsibilities. The GovGuam agencies would have a role in the plan.

**K-055-120**

Thank you for your comment. The discussion of adaptive program management has been revised in the FEIS (Volume 7, Chapter 2).

**K-055-121**

Thank you for your comment. Public comments on the Draft EIS are an important part of the decision-making process. This information becomes part of the Final EIS and is evaluated when DoD prepares the Final EIS and issues a Record of Decision at the end of the National Environmental Policy Act (NEPA) process. The change you suggest has been made in the Final EIS.

**K-055-122**

Thank you for your comment. Expanded mitigation discussion is available in the FEIS.

**K-055-123**

Thank you for your comment. DoD commitment to mitigation measures would be identified in the ROD. DoD is unable to commit to mitigation measures that are not under DoD control. Anti-terrorism/force protection buffers are required at military installations.

<b>K-055-238</b>	41	9 & 10		Change sentence. Note the industrial uses still on-going, including power production, ship repair, large scale fuel transfer and storage, etc.	
	2	4	41	15	Surface flow westward is not continuous but varies with wind direction.
<b>K-055-239</b>	44			10	ODMDS precluded from proposed EPA designated site?
<b>K-055-240</b>	45			3	Aren't Atantano, Sasa, Laguas and Aguada rivers flowing through Navy property?
<b>K-055-241</b>	49			26	What is correct capacity?
<b>K-055-242</b>	53	25 & 26			Direct and indirect impacts can occur during construction and during operations.
<b>K-055-243</b>	57	26 & 27			Large depth to the groundwater lens does not ensure contaminants do not quickly enter the Sole Source Aquifer in Guam's Karst geology.

**K-055-124**

Thank you for your comment. Expanded discussion of mitigation is in the FEIS.

**K-055-125**

Thank you for your comment. Analysis in the Socioeconomic Impact Assessment Study (Appendix F of the DEIS) did assume GovGuam would collect all taxes it would be owed. Your recommended mitigation measure have been taken under consideration. Expanded mitigation discussion is available in the Final EIS.

**K-055-126**

Thank you for your comment. Each of these items are addressed in Volume 7, Chapter 3 and in applicable resource chapters in earlier volumes of the EIS.

**K-055-127**

Thank you for your comment. Your recommended mitigation measure has been taken into consideration. Expanded mitigation discussion is available in the FEIS. A comprehensive list of mitigation measures proposed in the FEIS is presented in Volume 7, Chapter 2.

**K-055-128**

Thank you for your comment. The Marine Relocation is discussed in Volume 2 and the Aircraft Carrier Berthing is discussed in Volume 4. At this time, specific contract information is unknown. The Socioeconomic Impact Assessment Study (Appendix F of the DEIS) provides information on expected construction expenditures in the Guam economy.

**K-055-129**

Thank you for your comment. Please see the Socioeconomic Impact Assessment Study (Appendix F of the DEIS), Section 4.3.7 for

<b>K-055-244</b>	2	4	68	35 to 42	The beneficial uses of dredged materials are being completely ignored, but should receive highest priority. This DEIS must make more of an effort to plan for and assess and prioritize beneficial uses for dredged material. Even fine sediments can be treated to use as well-performing building materials. This and other uses, such as landfill cover, construction fill, firing range berms, rehabilitation of quarries, etc. need to be seriously considered in this DEIS, and not just military project uses but beneficial uses on other Guam or regional projects. E.g., could the ships bringing in bulk aggregate or construction materials to Guam leave Guam carrying dredged material to Yap where the State Government needs fill for construction projects but lacks it? Or, is the Navy agreement with Port Authority of Guam to provide dredged material for dock construction still valid? Why isn't this seriously evaluated in the DEIS? Also, with projected sea level rise, shouldn't dredged material be incorporated into adaptation plans to raise land levels to avoid coastal flooding?
<b>K-055-245</b>			67	18 & 19	Would the increased pumping of new production wells cause a possible significant impact on the GNLA, since the dynamics of this aquifer are not yet satisfactorily understood?
<b>K-055-246</b>	2	4	67	19 to 27	Nearshore waters, Operations. This is another example of skipping discussion of review of what will cause impacts, such as ammunition entering the marine environment. Throughout Section 4.2, for each resource concern, the DEIS simply notes that BMP's will be used and laws followed and therefore there will not be significant impacts and that impacts and practices will be similar to other alternatives or other sites. This keeps being repeated without specifying the impacts and practices and mitigation for specific resources and sites. This repetition implies that the impacts, BMP's and mitigation for actions at each site were not adequately assessed in the preparation of this DEIS and this coverage in the DEIS is meaningless. Referring back to partial coverage in another chapter does not serve reviewers adequately.
<b>K-055-247</b>			82	Tbl. 4.2.1.	Apra Harbor Construction. There is no mention of permanent removal of large areas of living corals and loss of a unique marine habitat area that exists no where else in US waters.
	2	4	88	Tbl. 4.2.2.	Apra Harbor Construction. There is no mention of permanent removal of large areas of living corals and loss of a unique marine habitat area that exists no where else in US waters.

information on Tourism. The analysis of the impacts on tourism generally reflect that the impacts of the proposed action would have on tourism would be mixed. Tourism may decline as some visitors may shy away from Guam due to construction activities and an increased military presence on the island but that would be made up for by increased visits from members of the military who are tourists while their ships are docked on Guam.

**K-055-130**

Thank you for your comment. Interviews with participants in Guam's tourism industry are presented in Appendix D of the Socioeconomic Impact Assessment Study (SIAS, which is Appendix F of the DEIS).

**K-055-131**

Thank you for your comment. Please see Appendix D of the Socioeconomic Impact Assessment Study (which is Appendix F of the DEIS) for interviews with Guam hoteliers. The information provided in these interviews suggests that Guam hotels do not run at 100% occupancy and that displacement of other guests is generally and unlikely scenario.

**K-055-132**

Thank you for your comment. The Socioeconomic Sections of the DEIS attempt to quantify the economic impacts that the proposed action would have on Guam. Directly stating gross contract value would be misleading to that effect as not all of the contract value is spent within the Guam economy (and thus does not have an impact).

**K-055-133**

Thank you for your comment.

Comments					
<b>K-055-248</b>	2	4	84	Stormwater infrastructure to be designed for a 100 year storm would provide a margin higher than normal but may be advisable for all construction on Guam to accommodate for unknown increases due to climate change. Will the DEIS contain recommendations that SOW for final designs should allow for estimates in climate change regarding more intense winds and rains and sea level rise?	
<b>K-055-249</b>	2	4	95	13	What will be impacts on Groundwater from increased new DOD wells? Why isn't better information on the response of the NGLA to increased pumping at chosen new well locations and on the potential of GWUDI developed and used for planning water developments? Without such information shouldn't worst case scenarios be assessed in this DEIS?
<b>K-055-250</b>			98	Tbl 4.2-3.	Rte 15 Operations. Nearshore. What about impacts of ammunition entering the marine environment?
	2		16		Were the data and information from the John Knox Social and Economic Impact Study contracted by the DOD incorporated in the DEIS? This appears to be at least partially done. This study should be referenced and appended.
<b>K-055-251</b>			29	19 to 16	Rewrite Guam Environmental Protection Agency section, adding the sixth Division of Energy, Sustainable Development and Outreach.
<b>K-055-252</b>			33	17 to 23	Quality of Life. More expanded details and discussion are needed including impacts on Island-wide transportation, water, wastewater and power infrastructure.

#### **K-055-134**

Thank you for your comment. Expanded mitigation discussion is available in the FEIS.

#### **K-055-135**

Thank you for your comments. It is noted that the EIS process provides information on environmental impacts (this includes the human environment); however, there is a limit to the specific details of the impacts because the information used is based on the continuation of existing trends and behaviors. While it is not an exact science, the EIS process along with the comments received provide information to the decision makers on the anticipated impacts of the proposed action. It is also noted that the Socioeconomic Impact Assessment Study (SIAS) discussed an unconstrained (maximal) scenario and a constrained scenario. The two scenarios represent a range of impacts that could occur should the proposed project be implemented under the current schedule. The SIAS is provided as Appendix F, Volume 9 of the DEIS.

#### **K-055-136**

Thank you for your comment. While not all jobs and all contracts will go to Guam people and contractors, economic analysis shows that the proposed action will benefit the overall prosperity of Guam. Many of the beneficial impacts attributable to the proposed action are based on jobs and money (from construction and operational expenditure) that will flow into the economy. Guam residents are expected to capture approximately 2,566 jobs and off-island workers would take 15,157 jobs. By 2020, the number of these jobs filled by Guam residents would decrease to 2,211 jobs, and off-island worker jobs would decrease to 3,935 jobs. It should be noted that the jobs that Guam residents would fill are based on the available supply of qualified workers. That is, it is anticipated that the new jobs would capture the amount of qualified workers on Guam for those positions. Economic benefits would also occur through the circulation of construction and operational dollars

Comments			
K-055-253	2	17	Throughout the volumes of the DEIS, projected increases of toxic materials due to the expansion of DOD activities are noted and DRMO current general capacities are expressed to handle hazardous wastes, but needed specific additional facilities and resources to handle increases are not addressed. Simply stating that increased capacity may be needed is not sufficient. Plans must be made and facilities and resources put into place before the new actions covered by this DEIS begin.
K-055-254	148	17:2-14	Two Hazardous Material Locations are mapped along Route 1 near Ysengseng Road intersection, but these are not labelled, named or described.
K-055-255	2		Why were existing small arm ranges on AAFB and naval station not considered as an alternative for the use of the use of the marines for their weapons qualification. DEIS reflects eight alternatives and none show the consideration of the use of these existing ranges.
K-055-256	6-51	Table 15.2-14	Who make up the US Pacific Islands? Many of the Micronesian Islands are politically not US Islands, clarify.
K-055-257	6-53		Standard of Living-Impacts-The salary increase is based on what study? If these figures are for construction workers, about the general public?
K-055-258	2	17	This chapter did not include subject concerning the issue about pesticides in details. PL 29-26 require new requirements for importation, use, and disposal of pesticides. The issue about illegal importation from foreign companies is an ongoing problem on Guam. With the increase in civilian population, from especially Asia where 90% of illegal pesticides are from, there must be better explanation here or in the Socio/Economic Section (ch.16). How about the issue about Chlordane in soils on FUDS military sites that will be disturbed during construction phase?

spent on Guam and the multiplier affect (recirculation of money) in the Guam economy.

**K-055-137**

Thank you for your comment. With regard to the projected economic downturn, your recommended mitigation measure has been taken under consideration. Expanded mitigation discussion is available in the FEIS.

**K-055-138**

Thank you for your comment. Your recommended mitigation measures have been taken under consideration. Expanded mitigation discussion is available in the FEIS.

**K-055-139**

Thank you for your comment. Relating to cost of living and the proposed military buildup, it is noted that the history of inflation and recession of Guam's economy from the 1970s to present was provided on page 3-47 of the Socioeconomic Impact Assessment Study (SIAS). In subsection 4.3.1.4 (beginning page 4-10) of the SIAS, the subject of impact on the standard of living is addressed, stating: "Standard of living is a measure of purchasing power. If the standard of living increases for a person it means they can purchase more goods and services. If the standard of living declines for that person, he or she can purchase fewer goods and services. Changes in a person's standard of living are determined by their income and the prices of the goods and services they tend to purchase. A person's standard of living will increase if their income rises faster than the prices of goods and services they tend to purchase. A person's standard of living will decline if the prices of goods and services they tend to purchase rise faster than the person's income. In both the construction and operational components, the average wage of workers would increase as a function of greater demand for labor. However, the price of goods and services purchased by individuals would rise as well.

Comments			
<b>K-055-259</b>	16-06-19-87		It appears that crime discussions here concentrate on FAS residents and spent very little information on actual crimes that were actually committed on Okinawa and how Okinawan population view after the rapes of local women by US Marines.
<b>K-055-260</b>	8.2.3		Social impacts should include impacts resulting from the build up to the nearby FAS islands or CNMI. Currently there is discussions to bring in laborers during the construction phases. There will be labor shortages in these islands. Has there been any research on this?
	2 16	8.2.3 4	Again, the issue about increase crime from FAS. If the current statistics shows increase crime from FAS are these crimes due to residents who are "loose" and not employed or by FAS residents who hold jobs? Most of the anticipated in-migrants will be skilled workers who are currently trained by Guam Contractor's training which now ongoing in the islands. To lump these group with first wave of in-migrants when the Compant of Free-Association was first ratified is unfair and discriminatory. This kind of discussion is discriminatory and must not be used.
<b>K-055-261</b>	2	17	In general, the discussion on hazardous waste or materials did not have any mention of the increase use of pesticides especially for maintenance, preconstruction treatments and postconstruction treatments using termiticides and fumigants. How about the increase need to fumigate imported food and construction materials such as gravels?
<b>K-055-262</b>	2		The proposed relocation must have a single IPM (Integrated Pest Management Plan) to minimize the use of pesticides on Guam. The impacts will be tremendous. Therefore, a separate plan which will encompass all activities must be drafted as part of the 9 volumes. The current problems with use, importation and potential increase in invasive species must be reflected in this IPM plan for all DoD activities on Guam.

It cannot be definitively predicted whether wages or the price of goods and services would increase at a faster pace. If wages earned by a particular household rise more quickly than the price of goods and services, then the standard of living would increase. If the price of goods and services rises more quickly than wages, the standard of living would decrease. For households on fixed incomes, the result would be reduced purchasing power. Those with the ability to quickly renegotiate their wages will have a better chance at maintaining or increasing their standard of living." On page 4-11 of the SIAS, the discussion continues and discusses the income of military related construction and operational jobs that will, on the average, be higher than the present average wages on Guam. It concludes: "In terms of cost of living, from 2000 to 2008 Guam workers have seen their standard of living decline by 30% and there is no reason to expect the military buildup to reverse that trend – Guam workers will likely to continue to see the cost of goods and services rise faster than their incomes. While the proposed action may not represent a reversal of this trend, it will slow the rate of decline in the standard of living that has been prevalent since 2000."

**K-055-140**

Thank you for your comment. Please see Section 2.2.3.2 of the Socioeconomic Impact Assessment Study for information on Operational Phase capture rates. Expanded mitigation discussion is available in the FEIS.

**K-055-141**

Thank you for your comments. Expanded mitigation discussion is available in the FEIS.

**K-055-142**

Thank you for your comment. During the DEIS comment period, a number of mitigation measures were submitted; the FEIS has been

<b>K-055-263</b>	2	2	2-74	line 17	The other facilities would tap into existing Andersen AFB utilities at 5th Avenue, except for wastewater. A <u>septic/leach field system</u> would be constructed for the VIF and ID office. As mentioned in the Agency early scoping comments 2007, connection to the public sewer is needed.
<b>K-055-264</b>			4-3	last line	Below are the category description from the GEPA (GEPA 2001), is this means GEPA Water Quality Standard (2001 Revision) ?
<b>K-055-265</b>	2	2	2-67	Table 2.5-2	Are bilge oil waste treatment discharging into the WWTP? If so, how much approx. additional flow projection are expected to be discharge in the wastewater treatment plant? EIS must consider re-assessing the Apra Harbor WWTP capacity in order to ensure that additional loads could be accommodated for treatment. Projection of demand must consider using the average maximum flow.
	2	2	2-89	line 6	The entire cargo staging/vehicle wash area; what kind of pre-treatment are planned to install and what is the approx. discharge volume are projected to be added to the WWTP? EIS must consider quantifying the approx. volume of discharge to ensure that the WWTP are capable to handle the additional flow.
<b>K-055-266</b>	2	2	2-95-97	line 8, 32	Waterfront project: LCAC/AAV Laydown Area: A vehicle wash facility, as mentioned washrack design may include recycling and pre-treatment; is this a zero discharge or there is any discharge from the recycling? if there is any how much volume discharge are anticipated and where is the discharge point? The area is within the wildlife overlay refuge; describe if how many percent of the overlay was being covered
	2	2	2-98	line 30	Waterfront Project: USCG Berthing; Primary facilities and construction-Water and Wastewater -briely specify if what are the extent of wastewater facilities are planned and are provation of bilge water treatment included in the plan?; if included, specify volume of discharge and must be quantified for WWTP capacity assessment.

revised to include expanded discussion on mitigation measures. The increase in population during the construction and operational periods will occur. The maximal estimate of population at the peak year (2014) is about 80,000. However, after the construction period, the operational period would result in about 33,000 (maximal estimate). Some of these people will require public services and facilities. (The military and their dependents would not be dependent on public services because the DoD will provide many these services within DoD property.) Public services and assistance required from Guam would primarily apply to the military civilian workers and their dependents and the induced population. These additional services, facilities, licenses, and schools, would be supported by the additional money collected by Guam from the new population. This money would come from taxes, licenses, permits, user fees, and other local fees that would go to the general revenue.

As documented in this EIS, DoD acknowledges the existing sub-standard conditions of key public infrastructure systems and social services on Guam and the interest to have DoD fund improvements to these systems and services. DoD's ability to fund actions is limited by Federal law. However, to minimize adverse impacts associated with the proposed military relocation program, DoD is leading a federal inter-agency effort to identify other Federal programs and funding sources that could benefit the people of Guam.

**K-055-143**

Thank you for your comment. Because a number of mitigation measures were identified during the DEIS review period, the Final EIS includes expanded mitigation discussions.

**K-055-144**

Thank you for you comment. Force protection is a generic term used to describe, as inferred, to methods and actions to protect U.S. forces.

K-055-267	2	2	115	Table 2-5-6 Alternative 1 was chosen for Medical/Dental facilities: as mentioned said site is potential for soil contamination, potential chlordane soil contamination and stormwater drainage concerns on the south end. EIS must briefly indicate the proper mitigation and process prior to start of any construction.
K-055-268			1.1.2	Action : Airlift operations, airdrops at landing zones and other operations.
	2	6	8.1.2	Impact: noise impacts at established airfields at AFB, NWF, GIA, and landing zones were well define with noise contours shown and discussed. However noise impacts along aircraft flight paths to and from established airfields and new landing zones for Marines training airlift and airdrop operations were not addressed, except ingeneral terms.Noise impact to human and endangered species resulting from these operational flight paths were not addressed outside of the these airfields and LZ's to support the LSI or NI findings in the DEIS.
K-055-269	2	18	8.2.2.1	Aircraft operations safety of flight patterns over land between base aircraft operations and landing zones (and vice-versa or base to base ) was notaddressed. Discussions centered only around the airfields. Futur impact assessment of travel route to determine potential safety impacts, alternatives, and mitigation.
K-055-270			22	Better discussion on merits of mechanical versus hydraulic dredging needs to be added because of lack of information on potential impacts to coral reef areas deeper than 18 meters and ineffectiveness of silt curtains at Kilo wharf.
	4	2	24	Guam Epa did not review and approve sediment monitoring and compositing plan. A new plan must be submitted to Guam EPA prior to dredging activities for approval. As there will be several site specific chemicals of concern that will be added to the list of analyates to be tested.
	4	2	25	Upland disposal sitas will need to be verified and inspected by Guam EPA. A dewatering plan must be submitted prior to Guam EPA permits will be required for all sites.

"Force protection" changes depending both upon the threats and the resource being protected.

Generally, force protection operations increase physical security of military personnel to reduce their vulnerability to attacks. In combat environments, force protection includes offensive and defensive measures such as moving forces and building barriers, detection and assessment of threats, delay or denial of access of the adversary to their target, appropriate response threats and attack, and mitigation of effects of an attack.

The section cited is in the Executive Summary where space and details are limited. Volume 1, Section 1.4.3. and Volume 4, Section 1.1.3.3. discuss force protection considerations with regard to the aircraft carrier.

**K-055-145**

Thank you for your comment.

**K-055-146**

Thank you for your comment. It is understood that the future ODMS site for clean dredged sediment is open for use by all users including the Port.

**K-055-147**

Thank you for your comment. It is recognized and documented in the EIS that the use of project dredged material by the Port would be dependent on the timing of the need for it as construction fill.

**K-055-148**

Thank you for your comment. GPA should be providing their facilities with the appropriate security measures. For critical functions, DoD would have standby generators to ensure emergency operations.

		Comments	
<b>K-055-271</b>	25		Dewatering of 2 million cubic yards of dredge material of seawater over a fresh water aquifer would cause salt water intrusion from the top, potentially contaminating the aquifer. Propose to use lined areas and allow evaporation versus draining.
<b>K-055-272</b>	5	13 line	Species of Concern - Authors should coordinate with GDAWR and Guam Fisherman's Coop to identify "local" species to include in the list of Species of Concern
<b>K-055-273</b>	23	3rd issue	A statement was made that indicated "minimal contamination" from recent dredging. What about historic dredging? What about the sediment at Bldg. 3009 outfall? Follow up testing needs to be done to properly characterize the dredge material.
<b>K-055-274</b>	24	last paragraph	Statement that there is no need for treatment or remediation of dredge spoils, this has not been fully determined for the Gabgab CDF.
4	2	41	2.5.3.1 Where would the construction debris be disposed? A solid waste and construction debris plan needs to be submitted to Guam EPA for review and approval.
4	2	53	2.6.3.1 Where would the construction debris be disposed? A solid waste and construction debris plan needs to be submitted to Guam EPA for review and approval.
4	2	43	2.5.3.2 Operational plans for the movement and unloading of barges must be submitted to GEPA for approval.
<b>K-055-275</b>	43	2.5.3.2	Prior to use of chisel to roughen up the surface prior to dredging along reef slopes, an underwater survey must be completed to ensure that chiseling does not shear off whole sections of reef.

#### **K-055-149**

Thank you for your comment. DoD and FHWA have worked closely in developing the load rating requirements for military vehicles. The proposed roadway strengthening and bridge projects would be designed to meet the requirements of the military vehicles.

#### **K-055-150**

Thank you for your comment. The material and equipment required from off-island for the improvement of roads would be transported through the Port of Guam.

#### **K-055-151**

Thank you for your comment. The colors are apparent on the electronic file. No SDZs are shown in this figure. Figures of Tinian range alternatives with SDZs can be found in Volume 3.

#### **K-055-152**

Thank you for your comment. Guam EPA and other agencies would be in an oversight role only. The Port Authority could use the additional income generated by the increased shipping if additional personnel and/or areas are needed for the storage of hazardous waste.

The DoD is committed to the protection and responsible stewardship of the environment. In addition, the DoD is committed to the safe handling and use of all hazardous substances, including fuels, lubricants, solvents, munitions and explosives of concern (MEC), nuclear materials, pesticides, herbicides, PCBs, and other hazardous substances. In fact, when feasible, the DoD attempts to reduce or eliminate the use of various hazardous substances to the greatest extent possible and substituting them for less toxic substances. When using hazardous substances, environmental laws and regulations (e.g., Resource Conservation and Recovery Act or RCRA) must be followed by DoD that

SUMMARY					
K-055-276	43	2.5.3.3	All imported aggregates and other construction materials must follow all established local rules and regulations for the importation of these materials. Guidelines can be obtained from GEPA and Dept. of Ag		
K-055-277	48	2.6.1	Ownership of SRF land needs to be addressed first then a new assessment must be conducted of actual footprint of lease land.		
K-055-278	57	2.7	Need to reevaluate "No alternative" in light of the amount of coral reef area to be dredge as presented by the federal resource agencies and proposed cost of mitigation.		
K-055-279	4	3.22.1	Upland disposal sites will need a closure plan as DEIS states these are temporary (3-4 years).		
K-055-280	8	4.2.2.1	Unlined upland disposal sites will cause contamination into underlying aquifer through leaching. GEPA requires a dewater plan be submitted and approved prior to placement of dredge.		
K-055-281	7	4.2.2.1	Stormwater WILL be require to be captured and treated prior to discharge, per the new Guam Stormwater manual. See GEPA for guidelines.		
K-055-282	11	4.2.2.2	Guam EPA will require that Turbidity be the water Quality indicator as the trigger for exceedances and not TSS. A water Quality monitoring plan must be submitted prior to action.		
	4	4	13	4.2.2.2	A sampling and analyses plan must be submitted prior to disposal. GEPA must approve plan.
	4	4	14	4.2.2.2	Text mentions TBT as a chemical of concern, but in Table 4.2-2 there is no entry for the compound. GEPA requires that new testing be done to include TBT and other local chemicals of concern.

are designed to be protective of human health, welfare, and the environment. To implement these laws and regulations, DoD has developed various procedures, protocol, and directives designed to proactively eliminate or minimize the inadvertent leakage, spill or release of pollutants to the environment. These actions involve comprehensive administrative, engineering, and operations mandates, best management practices (BMPs), standard operating procedures (SOPs), and controls in place to prevent or minimize the inadvertent leakage, spill, or release of hazardous/toxic substances. These BMPs, SOPs, and other controls are fully described in the EIS document (Volume 7). (Note that BMPs and SOPs are not considered "mitigation measures" because these actions are being done as part of existing laws and regulations and not as part of new "mitigation.") However, if a leak, release, or spill is suspected or confirmed, aggressive mitigation measures are used to first clean up the leak, spill, or release as quickly as possible, followed by an assessment of risks to the public and/or the environment and a plan to remediate these risk concerns to within regulatory acceptable levels. These actions generally include environmental media (e.g., groundwater, surface water, soil, air, and/or biota) sampling and monitoring to ensure that and hazards are mitigated quickly and effectively. In many cases, part of remediation plan includes the requirement to perform regularly scheduled long-term sampling and monitoring of environmental media to ensure that remedial actions have been effective. If long-term monitoring indicates that risks to human health or the environment are still unacceptable, more aggressive remediation approaches are considered. In fact, many such clean-up efforts are underway. As part of the clean-up process, the DoD provides various opportunities for the general public, stakeholders, and other interested parties to get involved in the process. One such opportunity is Restoration Advisory Boards (RABs) where interested party questions and concerns may be communicated. These comprehensive actions (e.g., BMPs, SOPs, etc.) will protect public health, welfare, and the environment from adverse impacts associated with the use of hazardous substances.

Comments			
<b>K-055-283</b>	15	4.2.2.2	Testing of all dredge material will be BEFORE placement in upland disposal areas, not "within three years of the start of proposed dredging. As leaching could occur and upland disposal areas are temporary.
4	4	16	4.2.2.2
			Resampling and verification of copper results needs to be done as concentration appears to be below the NOAA action levels, certain areas also appear to be areas of enrichment. Source identification must be conducted to verify if enrichment is occurring.
4	4	30	4.2.3.2
			Resampling and verification of all chemical results needs to be done as concentration appears to be below the NOAA/EPA action levels, certain areas also appear to be areas of enrichment. Source identification must be conducted to verify if enrichment is occurring.
<b>K-055-284</b>	38	230.44	Not clear on which area DEIS is using for total area of coral. Is it the two or three dimensional view. GEPA recommends that all reference of two dimensional be removed and use only the 3-d calculations as the coral reef is in 3-d.
<b>K-055-285</b>	30	230.44	GEPA does not agree with the proposed mitigation of artificial reefs for the destruction of the coral reefs during the dredging. DOD must meet with the local and federal resource agencies to discuss.
4	4	30	230.44
			GEPA requests that a final determination of the mitigation be made and approved by both the federal and local resource agencies prior to the ROD.
<b>K-055-286</b>	4	11.1.1.1	DEIS states Dollar, et al, was a preliminary evaluation of the composition of benthic community, but also was the primary source of information for the assessment. GEPA request that a more detailed assessment be conducted to fully address the impacts of the dredging to the coral community in the area to include corals deeper than 60 feet.
4	11	9-18	11.1.1
			DEIS appears to present benthic data as all other areas other than live corals is "essential habitat". The total area to be dredged needs to be taken into account for all impacts.

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#### **K-055-153**

Thank you for your comment. As documented in this EIS, DoD acknowledges the existing sub-standard conditions of key public infrastructure systems and social services on Guam and the interest to have DoD fund improvements to these systems and services. DoD's ability to fund actions is limited by federal law. However, to minimize adverse impacts associated with the proposed military relocation program, DoD is leading a federal inter-agency effort to identify other federal programs and funding sources that could benefit the people of Guam.

#### **K-055-154**

Thank you for your comment.

#### **K-055-155**

Thank you for your comment. The feature you describe is presented in the Figure for locational reference purposes only.

#### **K-055-156**

Thank you for your comments. These and other considerations are evaluated and assessed as part of the site characterization and as appropriate remediation decisionmaking process.

#### **K-055-157**

Thank you for your comment. Controlling public access to training areas would aid in preventing potential harm to the public from exposure to UXO.

#### **K-055-158**

Thank you for your comment. Sufficient level of detail regarding security issues as they relate to the alternatives considered and carried forward has been provided. These security issues and design criteria include

				Comment
<b>K-055-287</b>	64			Modeling was done based on TSS. Need to remodel based on Turbidity, as this will be the primary parameter for Water quality assessments and to determine violations.
<b>K-055-288</b>	67			Statement that low wave energy of area will not likely cause detached coral fragments from moving by be correct, but need to conduct impact of prop wash from all vessels traveling through area. Specifically tugs and larger vessels.
<b>K-055-289</b>	67			Statement that more non-native species exist on artificial structures, refutes notion of using artificial reefs as a mitigation for dredging impacts because know would be increasing substrate for non-native and not replacing native that was lost. Mitigation for dredging needs to be re addressed and approved by both local and federal resource agencies prior to ROD.
<b>K-055-290</b>	6-20	3.1.3		Whole section describes impacts to NDWWTP. Does not address impacts of additional 6 to 12mgd of treated wastewater to the environment. It appears that DOD will only be a "customer" of GWA, and let GWA handle all assessment of the increased load. GEPA recommends that DOD conduct an impact study on the environment of the increase wastewater load from its facilities through the GWA plant.
	6	3	56	3.2.4 Table and information indicate that with theDOD load on the NDWWTP, GWA would be in violation of Guam water quality standards and its federal NPDES permit for two years. No mention of how DOD will comply /assist GWA in meeting standards and not be as action is the increased load from DOD and not the civilian community.
	6	3	57	3.2.4.1 GEPA recommends that GWA and DOD not exceed the design specifications of the WWTP as their will be no reserve capacity for accidental breakdowns or schedule maintenance. This is also a violation of all permits.
	6	3	59	3.2.4.2 GEPA requires tha a separate EIS be conducted on the feasibility and impact of the creation of another WWTP with an ocean outfall within the same vicinity of the current GWA outfall, as the primary alternative. Study is needed to address if the marine environment in the area can handle the 6-12mgd of "treated" wastewater.

both landside and waterside security, including fencing and barriers and include the source for the criteria UFC 4-025-01 (Waterfront Security Design). The level of security analysis has been consistent across the document.

**K-055-159**

Thank you for your comment. Your comment appears to be a note only and no response was necessary.

**K-055-160**

Thank you for your comment. The presence of spinner dolphins in Apra Harbor has been recognized, on only on rare occasions in Apra Harbor. BMPs will be utilized to avoid interaction with this species. If a spinner dolphin is sighted during project activities, all activities will cease until the animal voluntarily leaves the area.

**K-055-161**

Thank you for your comments. It is noted that the EIS process provides information on environmental impacts (this includes the human environment); however, there is a limit to the specific details of the impacts because the information used is based on the continuation of existing trends and behaviors some future conditions are unknown. The EIS process along with the comments received provide information to the decision makers on the anticipated impacts of the proposed action.

**K-055-162**

Thank you for your comment. Tables 18.2-1 and 18.2-2 will be corrected to be less than significant impact from unexploded ordnance (UXO) during onshore construction activities.

**K-055-163**

K-055-291	4	2	35	Tbl. 2.3-1	Dredged material. Beneficial uses should be proposed and evaluated in the DEIS. The beneficial uses of dredged materials are being completely ignored, but should receive highest priority. This DEIS must make more of an effort to plan for and assess and prioritize beneficial uses for dredged material. Even fine sediments can be treated to use as well-performing building materials. This and other uses, such as landfill cover, construction fill, firing range berms, rehabilitation of quarries, etc. need to be seriously considered in this DEIS, and not just military project uses but beneficial uses on other Guam or regional projects. E.g., could the ships bringing in bulk aggregate or construction materials to Guam leave Guam carrying dredged material to Yap where the State Government needs fill for construction projects but lacks it? Or, is the Navy agreement with Port Authority of Guam to provide dredged material for dock construction still valid? Why isn't this seriously evaluated in the DEIS? Also, with projected sea level rise, shouldn't dredged material be incorporated into adaptation plans to raise land levels to avoid coastal flooding?
	4	2	40	14.5.15	Beneficial uses of the dredged material should be addressed in the DEIS. Delay in doing this will force the use of ocean disposal, which can be prevented and is not preferred. Even fine silt material can be treated to provide good construction material. Why is this not discussed in the DEIS? This appears to be a serious failure in the DEIS process. Waiting for the permit process to start assessing beneficial uses will lead to delay in the CVN project permit approvals and delay in the project.
K-055-292	58		17		Would bicycle access be accommodated with the pedestrian and vehicle facilities? Of the thousands on board a CVN, there must be many wanting to use bicycles on Guam.
K-055-293	57		12		Besides designing for 100 year storms, will designs be done that incorporate adaptation to estimated climate change impacts?
K-055-294	60				Why is potable water much less than wastewater? Is seawater used for toilets on the CVN? Explain.
K-055-295	60		24		Would a redundant system of back-up pumps be necessary and would the CVN sewage have similar characteristics to those of residential sewage at the Navy base?
K-055-296	61				Planned stormwater management may not meet Guam requirements. Proposed discharges of stormwater would impact Sasa Bay Marine Preserve. What kinds and amounts of pollutants would occur in the discharges? Would the discharge always meet Guam water quality standards? Will the treatment system be able to protect marine waters from accidental spills in the drainage area?
K-055-297	62		9 to 8		What kinds and amounts of hazardous waste is expected to be generated?
K-055-298	62		19		Is climate change and resulting sea level rise being considered in this and other coastal development plans by DOD?

Thank you for your comment. Physical measurements of the structures are listed in Table 2.3-3.

**K-055-164**

Thank you for your comment. This figure has been revised.

**K-055-165**

Thank you for your comment. The DoD has a vigorous program of managing and protecting archaeological resources on its lands on Guam. Properties managed by the Joint Region Marianas, which includes Navy and Air Force managed lands, complies with all federal laws relating to cultural resources. Each installation has an Integrated Cultural Resources Management Plan that stipulates the standard operating procedures for evaluating resources according to National Register of Historic Places criteria and long term management of these resources. Because these resources fall under federal jurisdiction and access to many of these areas is limited, they are, in general, protected from vandalism, collecting, or other forms of disturbance that could occur when areas are completely open to the public. If historic properties would be affected by future projects, all installations would comply with the National Historic Preservation Act and go through the Section 106 process to avoid, minimize or mitigate adverse effects to these resources.

**K-055-166**

Thank you for your comment. No as-built information is available for these structures and it is assumed that this culvert was constructed to the AASHTO design loads applicable at the time of design. The AASHTO live load design will accommodate the Guam legal loads. If a special vehicle is required to cross the culvert, a permit would be required and the loads would be analyzed.

K-055-299	67	18 to 25	Serious problems have arisen with recent Navy project's imported aggregate from Asia. What approximate amounts will be needed and what are the capacities for local production of aggregates?	
K-055-300	75	8 to 13	Planned stormwater management may not meet Guam requirements. Proposed discharges of stormwater would impact nearby rich coral areas. What kinds and amounts of pollutants would occur in the discharges? Would the discharge always meet Guam water quality standards? Will the treatment system be able to protect marine waters from accidental spills in the drainage area?	
K-055-301	75	17 to 19	What kinds and amounts of hazardous waste is expected to be generated?	
K-055-302	83		Replace "Public Utilities Agency" with "Coastal Management Program"	
K-055-303	86	16	While dredged spoil is stored at disposal sites, would calcareous material under the influence of rainfall fusa into concrete-like rock, such as beachrock is formed, and make it not suitable for planned beneficial uses?	
K-055-304	90	TM 3.2-4	Impacts of beneficial uses of dredged material should be included. Mitigation related to beneficial use also should be discussed.	
K-055-305	93	6.83	"Nearshore" waters averaging 10 meters depth does not relate to Guam, where reef flats and steep reef slopes predominate.	
K-055-306	94	1.82	Can't both direct and indirect impacts occur during construction and also both occur post-construction, during operations?	
K-055-307	98	13.6.14	The designing of haul roads for military use, especially in the vicinity of Apra Harbor, does not appear to be following the CNMI and Guam Stormwater Manual, even though this is required by local law.	
K-055-308	98	42	Dewatering sites on Orote Peninsula are over an aquifer, but not one that is a source of drinking water.	
K-055-309	99	25.826	100% capture and treatment of stormwater is required throughout Guam, but has not been practiced on Military land. Recent Navy projects such as Bravo Wharf and Kilo Wharf do not include the stormwater management practices that should be applied to future project designs as proposed in this DEIS.	
4	4	94	1.82	Can't both direct and indirect impacts occur during construction and also both occur post-construction, during operations?
4	4	98	13.6.14	The designing of haul roads for military use, especially in the vicinity of Apra Harbor, does not appear to be following the CNMI and Guam Stormwater Manual, even though this is required by local law.
4	4	98	42	Dewatering sites on Orote Peninsula are over an aquifer, but not one that is a source of drinking water.
4	4	99	25.826	100% capture and treatment of stormwater is required throughout Guam, but has not been practiced on Military land. Recent Navy projects such as Bravo Wharf and Kilo Wharf do not include the stormwater management practices that should be applied to future project designs as proposed in this DEIS.

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An inspection of the culvert in early 2010 indicated the structure to be in good condition. The depth of the earth fill on top of the culvert will distribute the vehicle loads. An inspection and weigh station will be constructed at the port to monitor the weight of the vehicles to ensure the loads are within Guam's legal loads and design loads.

**K-055-167**

Thank you for your comment. During the design of the project, a maintenance of traffic plan will be included to minimize disruptions to traffic.

**K-055-168**

Thank you for your comment. The Route 11 and Route 1/Route 11 intersection projects are being coordinated with the Port Authority of Guam.

**K-055-169**

Thank you for your comment. Comment noted.

**K-055-170**

Thank you for your comment. High congestion levels are expected on Route 1 through Tamuning. An alternate truck route on the east side of the airport using Routes 8 and 16 was proposed to provide an alternative route to Route 1.

The tables and figures do show increased traffic and congestion on routes leading to/from the port during peak hours. Traffic congestion will not be as bad during non-peak times and truck activity should be encouraged during these off-peak times. The EIS includes an intersection improvement project at Route 1/11 that will add an additional eastbound left-turn lane to improve operations at this intersection.

<b>K-055-310</b>	100	2.83	Particularly unique and special mangrove and other wetland areas are near this site and could be impacted by access road construction and design and dredging operations for CVN facilities. Their fauna could be impacted by construction interfering with necessary movements for foraging or breeding or by operation disruptions such as noise affecting endangered moothens.
<b>K-055-311</b>	4 4	100 30.831	This DEIS fails to address beneficial uses of the dredged material. Why are these not discussed in the DEIS? Delay in doing this will force the use of ocean disposal, which can be prevented and is not preferred. Even fine silt material can be treated to provide good construction material. This appears to be a serious failure in the DEIS process. Waiting for the permit process before starting assessing beneficial uses will lead to delay in the CVN project permit approvals and delay in the project.
<b>K-055-312</b>		101 30.831	Observations by regulatory agencies' staff in the proposed CVN turning basin and channel dredging areas recorded frequent presence of finer siltier sediments rather than coarse sediments. This will affect turbidity plumes and suspension times.
<b>K-055-313</b>	4 4	102 9.810	Recent dredging operations in Apra Harbor show that silt curtains can only be extended to 30 foot depths. The deeper depths of necessary CVN site dredging makes the curtains less effective. Other management practices, such as bubble curtains, will be necessary to better control the dredging impacts. If need for such management practices is not recognized in the DEIS and is not considered until permits are sought, the permitting process may cause serious delays in dredging projects.
<b>K-055-314</b>		111 13.814	Dewatering sites on Orote Peninsula are over an aquifer, but not one that is a source of drinking water.
<b>K-055-315</b>		112 Tbl.4.2-4	Construction measures could include beneficial uses being planned for dredged material. Operation measures could include diligent maintenance of reef and channel markers to avoid ship contact with reefs bordering the channels.
<b>K-055-316</b>		134 11 to 16	By not considering possible beneficial uses for dredged material and assessing impacts of various uses, this DEIS fails to include the most desirable alternative and forces the choice of non-preferred uses of the material.
<b>K-055-317</b>	42 to 144		Loss of existing beach, picnic area, swimming, diving, fishing, boating and other current recreational uses that will be replaced by the physical presence of the CVN wharf should be listed among impacts.
	4 9.2	145 Tbl.9.2-3	Loss of existing beach, picnic area, swimming, diving, fishing, boating and other current recreational uses that will be replaced by the physical presence of the CVN wharf should be listed among impacts.

### K-055-171

Thank you for your comment. The proposed port improvements were addressed in the cumulative impact analysis of Volume 7, Chapter 4. Table 4.3-1 of the Draft EIS lists the port improvements as project AH-9. The title of this project has been revised to "Port reconfiguration, maintenance, and repair" to be consistent with the standard project title.

### K-055-172

Thank you for your comment. Modernization of the Port, as detailed in the Guam Port Authority's Port Improvement Project, should increase the efficiency of the Port operations and reduce traffic queuing from the increase in number of marine vessels. However, the potential impact of the proposed project on Port operations was evaluated in the FEIS without incorporating the port improvement project. The results of the Port analysis, based upon the historical number of ships the Port handled, was determined to be less than significant. In addition, the commercial port transporting service air emissions do not meet the indirect emissions criteria required for inclusion in the general conformity analysis. Port air emissions are not under the control of DoD, therefore, were not calculated in the air quality sections. The FEIS added an explanation indicating why commercial port transporting service air emissions were excluded.

### K-055-173

Thank you for your comment. Noise impacts are expressed as noise levels at the nearest sensitive receptor. For each project analyzed in this EIS located near the port, the nearest sensitive receptors were residences or schools located closer to the project than the nearest beach. In areas where there are high noise levels, such as dredging and pile driving, workers including port 24-hour security would be required to wear hearing protection in accordance with Occupational Safety and Health Administration (OSHA) regulations.

K-055-318	158	21 to 24	Clearing or impacting on limited mangroves and associated vegetation should be considered significant.
K-055-319	154	20	Should discuss that historically oil and toxic releases have been associated with accidents related to typhoons and the movement of surface waters at those times have not corresponded with directions that occur during tradewinds. Movements of spills would more likely be towards the mangroves then.
K-055-320	4 11.1 159		Lack of information makes it impossible to determine whether other special or unique or valuable species suspected to live in the area of direct dredging impacts will be significantly impacted. For example, two species of the whiptail fish, genus <i>Pentapodus</i> are only known to occur in the Marianas and Guam in the deeper turbid areas of Apra Harbor. This indicates that this is a unique environment that probably contains other species not found elsewhere. The CVN channel and turning basin dredging can significantly impact currently unknown marine life, especially unique benthic invertebrates and corals. But the DEIS does not address information for these species or allow for mitigation to protect them.
K-055-321	4 11 162	3 to 8	If construction and/or operations results in major significant impacts to fish populations and important fishery species, this DEIS' lack of quantitative data on fish in the impact area makes such losses unmeasurable. The DEIS should not just provide its simple brief notes on families of fishes seen, but needs a quantitative listing of the diversity and abundance of species in the areas to be impacted by dredging and operations. This should include observations at night, when many important fishery species are seen.
	4 11 162		Construction and operation of CVN facilities, especially channel dredging, could seriously impact living resources that periodically migrate to and from the unique and valuable marine species nursery area of Sasa Bay Marine Preserve. But this DEIS fails to assess numbers and seasonal migration habits of fish species and mobile marine animals traversing the impacted area. Examples could be periodic <i>atulai</i> (scad) aggregations, seasonal or monthly dispersal of mangrove crab and other crab larvae, annual birthing of hammerhead sharks, etc. Limiting marine resources' functional assessments to coral cover and not quantifying fish resources is a failure of this DEIS.
K-055-322	4 11 164	24 to 31	The CVN channel, turning basin and berthing area are a unique and rare habitat, apparently found no where else in US waters of the North Pacific. This is a deep water, coral reef, sheltered lagoon habitat adjacent to mangroves and mudflats. As a second criterion for HAPC the site is going to be heavily stressed by development activities. Not enough studies have been done to show the significance of ecological functions or its sensitivity to human degradation.
K-055-323	165	11 and 13	Spell <i>Acanthophora spicifera</i>

#### K-055-174

Thank you for your comment. The DoD and regulatory agencies are equally concerned about protecting the public from munitions and explosives of concern (MEC) which include unexploded ordnance (UXO). Refer to Volume 9, Appendix D, Project Description Technical Appendix, Munitions, for a discussion of the MEC associated with the proposed ranges (mostly small arms).

The proposed ranges will be designed and maintained in accordance with all applicable federal and Government of Guam regulations. Specifically, Military Handbook 1027/3B contains procedures for reducing potential impacts from ranges through the implementation of best management practices (BMPs) described in Volume 7. Key BMPs as they relate to UXO include controlling access to the firing ranges, public education initiatives, and routine clean-up of UXO on the firing ranges.

#### K-055-175

Thank you for your comment. BMPs for air quality are existing requirements and are therefore are not included in the list of proposed mitigation measures presented in Volume 7, Chapter 2.

#### K-055-176

Thank you for your comment. The movement of the aircraft carrier to the wharf would require up to four assist tugboats to maneuver the ship that would provide its own forward propulsion. While the aircraft carrier is transiting through Outer Apra Harbor, other vessels would be prohibited from using the navigation channel in the harbor for security and safety reasons. Depending upon the weather and other conditions, it is expected that the restriction on the use of the navigation channel would last about 1 hour.

Comment					
<b>K-055-324</b>	109	13 to 22	The method used to estimate coral coverage and to interpret functional losses is questionable and not acceptable. The DEIS must include regulatory agencies' assessments and their comparison with the Navy's. The Navy shows much lesser functional values.		
4	11	170	14	Unique communities containing dense coverage of "rare" corals, including <i>Pectinia</i> (cf. <i>P. paeonia</i> ) and <i>Leptoseris</i> (cf. <i>L. gardenarii</i> ), making up healthy coral habitats apparently found no where else in the Marianas or any other US controlled waters, could be permanently lost under direct impact of the dredging for CVN channel and turning basin. Basing impact values and mitigation on simply live coral coverage does not recognize values of such special and unique coral communities.	
4	11	188	6 & 7	Although most of the coral community to be destroyed by dredging is made up of the common species <i>Porites rus</i> , unique communities containing dense coverage of "rare" corals, including <i>Pectinia</i> (cf. <i>P. paeonia</i> ) and <i>Leptoseris</i> (cf. <i>L. gardenarii</i> ), also were observed there by the resource regulators team. These make up healthy coral habitats apparently found no where else in the Marianas or any other US controlled waters. They could be permanently lost under direct impact of the dredging for CVN channel and turning basin. Basing impact values and mitigation on simply live coral coverage does not recognize values of such special and unique coral communities.	
<b>K-055-325</b>	190	Table 11.2-4	Will greywater be discharged from CVN or support ships anywhere within Guam waters? If so, what would be impacts?		
<b>K-055-326</b>	4	11	211	27 & 28	Unique communities containing dense coverage of "rare" corals, including <i>Pectinia</i> (cf. <i>P. paeonia</i> ) and <i>Leptoseris</i> (cf. <i>L. gardenarii</i> ), making up healthy coral habitats apparently found no where else in the Marianas or any other US controlled waters, were observed by regulatory agency teams in the impact areas. These could be permanently lost under impact of the dredging for CVN channel and turning basin. Basing impact values and mitigation on simply live coral coverage does not recognize values of such special and unique coral communities.
4	11	212	1 & 2	Some areas in the CVN channel that are deeper than the depth to be dredged will receive major impacts of sedimentation from the dredging. But the diversity and abundances and age structure of corals living there have not been assessed. Rare and possibly unrecorded species may occur there, which could be killed by the dredging impacts.	
<b>K-055-327</b>	4	17	Throughout the volumes of the DEIS, projected increases of toxic materials due to the expansion of DOD activities are noted and DRMO current general capacities are expressed to handle hazardous wastes, but needed specific additional facilities and resources to handle increases are not addressed. Simply stating that increased capacity may be needed is not sufficient. Plans must be made and facilities and resources put into place before the new actions covered by this DEIS begin.		

#### K-055-177

Thank you for your comment.

#### K-055-178

Thank you for your comment. The proposed port improvements are addressed in the cumulative impact analysis of Volume 7, Chapter 4. Table 4.3-1 of the Draft EIS lists the port improvements as project AH-9. The name of the project is renamed in the Final EIS table as "Port reconfiguration, maintenance, and repair" to be more easily recognized.

#### K-055-179

Thank you for your comment. Projects beyond 2019 are not within the time period established for the cumulative impacts analysis. Based on new information from Port Authority of Guam, the AH-19 project is removed from the cumulative project list of the Final EIS, because it is no longer considered reasonably foreseeable.

#### K-055-180

Thank you for your comment. The Executive Summary was written to only provide a very brief overview of the proposed actions and environmental impacts. Details, such as those suggested, are available in the air quality sections of Volumes 2 through 6. Volume 7 contains a list of the mitigation measures proposed in the EIS.

#### K-055-181

Thank you for your comment. Subsequent to issuing the DEIS, DoD has reevaluated the estimated required power and the current demand on the island-wide power system (IWPS). The forecast demand increase and current demand have both declined. DoD has been discussing the projected power scenario with GPA. GPA has stated that the baseload power demand that will be needed by DoD can be met with current power facilities (plants), so there is no need for a new power plant. What

<b>K-055-327</b>	6	17				Throughout the volumes of the DEIS, projected increases of toxic materials due to the expansion of DOD activities are noted and DRMO current general capacities are expressed to handle hazardous wastes, but needed specific additional facilities and resources to handle increases are not addressed. Simply stating that increased capacity may be needed is not sufficient. Plans must be made and facilities and resources put into place before the new actions covered by this DEIS begin.				
<b>K-055-328</b>	6	2	4-67			Traffic management plan was mentioned as one of the impact mitigation; how does such be implemented? Implementation strategic techniques/management are not being discuss in the EIS.				
	6	2	2-27	Sec. 2.2.2.1		Purpose and Need: Determine Potable Water Demand				
<b>K-055-329</b>	6	2	2-27	Sec. 2.2.2.1		<p><b>Impact:</b> The method and procedures in estimating the Water Demand did not consider the fire flow demand, industrial water needed for the construction activities (i.e. dust suppression, concrete mixing, etc.). The 7,222 transient customer at Apra Harbor on the Air Craft Carrier are customer of the US Navy base pursuant to Safe Drinking Water Act (SDWA) "serve at least 60 days a year". The 45 gpcd water demand for transient customers should be adjusted to comply with SDWA.</p> <p><b>Recommendation:</b> Adjust water demand by considering the Fire Flow requirements and change the 45gpcd to 155 gpcd and include the 7,222 from the Air Craft Carrier in determining the water demand.</p>				
	6	2	2-31	Table 2.2-4		<p><b>Impact:</b> - The required Maximum Daily demand of 27.72MGd did not include the water demand from the transient customers of the Air Craft Carrier. The estimated maximum water demand is 2.24 MGd.</p> <p><b>Recommendation:</b> required maximum daily demand of 27.72 should be adjusted to 29.96 MGd.</p>				
<b>K-055-330</b>	6	2	2-34	Table 2.2-4		<p><b>Impact:</b> The number of construction workers at the height of the construction can be anticipated more than 18,374 due to the volume of works with limited time. The number of tourist induced during the same period of time is 23,000/daily making the population at peak on 2014 at 270,897.</p> <p><b>Recommendation:</b> The induced tourist population should be included in the determination of water demand. And adjust the number of temporary construction worker to reflect a meaningful and accurate number corresponding to the estimated volume of work being anticipated.</p>				
	6	2	2-35	Table 2.2-5		<p><b>Impact:</b> Off-Base Water Demand - The estimated off-base water demand serve by Wells (North and Central) of 60MGd should be adjusted to meet the adjusted population as stated above.</p> <p><b>Recommendation:</b> The projected water demand by year 2014 based on the adjusted population is 66MGd.</p>				

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is needed is refurbishment of peaking power facilities (Combustion Turbines) that are used intermittently and to ensure reliable, uninterrupted power service. Therefore, DoD only proposes to refurbish these peaking power facilities under the FEIS, and no longer proposes other power options in the FEIS.

**K-055-182**

Thank you for your comment.

**K-055-183**

Thank you for your comment. TOCs have been added to the appendices.

**K-055-184**

Thank you for your comment. Construction would not commence before issuance of the Record of Decision. The EIS addresses the proposed military relocation program that would begin in 2010 as referenced in your comment.

**K-055-185**

Thank you for your comment. Section 1.2.1, Volume 6 notes that with the increased demand associated with the military relocation on Guam there would be an increase in construction supplies and equipment to meet that demand. This would apply to dredging equipment as one of those types of construction equipment.

Cumulative effects of the proposed action and mitigation to offset those effects have been presented in Volume 7.

With regard to impacts to navigation and dredging, the areas to be dredged occur south of the main access channel to the Commercial Port. Increased barge traffic would occur during the dredging construction

K-055-331	6	2	3-36	Table 2.2-4	Impact: Current and Future On-Base DoD Potable Water Supply and Demand: The existing US Air Force water source comprised of 6-wells (Andersen South) 1-tunnel at Tumon Maui, and 5-wells at the Andersen AFB and 1-BPM with a total daily production of 6.5 MGd compare to 4.7MGd mentioned on Table 2.2-6. Recommendation: USAF should rehabilitate all these production wells to minimize the number of new wells to be constructed.
K-055-332	6	2	3-35	Sec. 2.2.3.1	DoD Water Supply Source: Impact: The military will not meet the maximum daily demand of water by 2013. The military planned to reduce the pace of construction activity minimize the impact of the shortfall of water supply. Recommendation: It is recommended that construction of additional water source will commence earlier than expected to alleviate this shortfall of water supply.
K-055-333	6	2	3-37	Sec. 2.2.3.2	Non-DoD Water Supply Sources: Impact: The GWA estimated 41.8 MGd current projection rate is more than the actual GWA well production (37.6MGd) based on 2009 GWA Report. The discrepancy was due to secured wells. However, there are 19 wells that are consistently exceeding the Chloride level of 250 ppm that generates an average production of 5.3MGd. The water demand at the peak of construction on 2014 is 60 MGd (table 2.2-5) not to include the water demand induce by tourists (3.0MGd). The required water demand of 63 MGd. Recommendation: The 19 wells wells exceeding chloride level of 250 ppm should ceased from production to protect the water lens from salt intrusion. GWA will have to provide 30.7 MGd to meet the water demand if the 19 wells is shutdown. The NGL allows GWA to pump up to 60 MGd but part of these available water is at military based. The available yield accessible to GWA is 18 MGd but part of this are inside the military fence.
K-055-334	6	2	3-30	Sec.2.2.3.3	Development of Alternatives to Increase DoD Water Supply Sources: Option 4: Dredge sediments from the Navy Reservoir to increase storage capacity. Option 8: Perform desalination Option 9: Develop a new surface water source (e.g. Lost River). These three long term option should be elevated to the preferred short term option to alleviate shortage of water supply and to protect the Ground Water Lens from permanent collapse due to salt intrusion.
K-055-335	6				EIS is considering to use the Northern District Wastewater Treatment Plant in full capacity and demand projection are based on average flows. EIS must consider using the maximum flow for demand projection in order to incorporate flows caused by I/I and also must consider adding more capacity to the treatment plant to ensure that all flow must be accommodated in the treatment plant and sewer overflows impact must be avoided. Based on the 2009 GWA SSO report most of the overflows happened during heavy rains, meaning some of the existing collection systems and pump stations are not capable of handling additional loads; like existing pump design capacity, presence of inflow/infiltration, collection system pipeline sizes (undersized) and existing generator capacity.
K-055-336	7	2	3-17	Table 2-1-1	BMP's are being identified in this table but it seems that the most important part; on how this be implemented or the implementation policy/methods of all the BMP's are not being discussed in the draft EIS. In the construction part, EIS must provide scheduling of all projects in order for the reviewer to fully assess or identify the impact considering that the time frame for the construction period is too constraint. Project planned during the same timeframe must allow the ecosystem to recover from change.

phase but this barge activity would not constrain normal vessel movement into the industrial Port.

**K-055-186**

Thank you for your comment. You are correct that detailed impacts have not been assessed for long-term alternatives. The potential long-term alternatives are only presented at the "programmatic" level. Future additional NEPA review at the project specific level would be required to pursue any of the long-term alternatives. During that effort it would be expected to conduct siting studies, more detailed alternatives analysis, property ownership determination, and project specific impacts for all of the other resource areas, including air emission analysis.

**K-055-187**

Thank you for your comment. Additional information on the Commercial Port has been added to Volume 6 of the Final EIS.

**K-055-188**

Thank you for your comment. As described in Chapter 2, Volume 4, the DoD is considering several options for dredged material management, one of which is potential beneficial reuse projects including for the PAG. The Navy has a memorandum of agreement with PAG to provide fill from proposed dredging projects should the material be deemed suitable and the timing and logistics of both projects work out. The Navy would work cooperatively with the PAG should these projects be feasible. As noted in the Chapter, other potential reuse projects have also been identified. The Navy may use a combination of beneficial reuse, upland placement, and ocean disposal, which would be determined during the permitting phase of the project.

**K-055-189**

Thank you for your comment. Volume 6, Section 18.2 addresses

Volume	Section	Paragraph	Page Number	Line, Table, Figure	Comment
K-055-337	2		4-77		Under all alternatives, groundwater production is expected to increase by a total of no more than approximately 16.2 MGD from the Gana, Mangilao, Andersen, Agaña-Cumas, Finegayan, and Yigo-Tumon subbasins. When this increase is added to existing pumping rates, the new projected pumping rate of 54.7 MGD would still be less than the sustainable yield of the 80.5 MGD. The Navy recently initiated a study to re-evaluate the sustainable yield of the NGLA. The results of the re-evaluation will be incorporated into future versions of the EIS/OEIS. The use of water resources is a concern. A re-evaluation is proposed.
K-055-338	2	8	8.2.2	8-56	Issues raised during scoping process: <ul style="list-style-type: none"> <li>• No increase in federal land ownership (some owners are interested in sale)</li> <li>• No re-acquisition of lands that have been or are in the process of being released by the fed. Govt</li> <li>• All land uses proposed on federal land would be consistent with GovGuam land use plans. Specifically, civilian housing should not be adjacent to industrial or training uses on the Base Yigo and Dededo were areas of concern.</li> <li>• Fed. Govt would release South Finegayan and Andersen South</li> <li>• Current public rights of way would be retained</li> <li>• No further restrictions on submerged lands recreational uses. Current restrictions have interfered with boat races and competitions in Outer Apra Harbor.</li> </ul> The DOD needs to provide more details to address these concerns.
K-055-339	2	8		8-80	None of the action alternatives propose acquisition or long-term leasing of GLUP-77; however, Alt 1 does result in the parcel being bounded by federal land in three directions and the Philippine Sea to the west. This would create a pocket of non-federal land of the GLUP 77 parcel. Navy submerged lands are on the western boundary of the parcel. This pocket of non-DoD land represents an adverse land use impact on the future use of the GLUP 77 parcel. The degree to which the property would be surrounded is considered a significant but mitigable impact. Access to the parcel would be provided, but the access road from Route 3 would likely be less direct than the current access. How does the DOD intend to address this situation?
K-055-340	2	8		8-80	The acquisition of the Harmon property would be a significant impact on land ownership and access to public would be restricted. No acquisition of submerged lands is proposed and the parcel does not border the ocean. Acquisition would create a pocket of non federal lands as described under the GLUP 77. How does the DOD propose to address this situation?

potential POL (petroleum, oil and lubricants) releases and cleanup requirements associated with fuel for power plant operations.

**K-055-190**

Thank you for your comment.

**K-055-191**

Thank you for your comments. Volume 6, Chapter 2, Section 2.5.1.8 provides a construction schedule for the GRN projects. GRN project #4 consists of pavement strengthening of Route 11 from the Port to the intersection with Route 11 and is scheduled for completion in 2012. GRN project #5 consists of intersection improvements at Route 11/Route 1 intersection and is also scheduled for completion in 2012.

**K-055-192**

Thank you for your comment.

**K-055-193**

Thank you for your comment. The Jose D. Leon Guerrero Commercial Port (also known as the Port of Guam [Port]) is administered by the Port Authority. The Port Authority is part of GovGuam and operates as a public corporation and autonomous instrumentality. Since its construction in 1969, the Port has remained largely unchanged. With many areas near capacity or unusable, expansion of the Port's facilities and equipment upgrades would create operational efficiencies and maximize Port capacity. Prior to the announcement of the proposed military relocation, Port improvements and expansion were under consideration; however, the military relocation created an additional impetus to implement planning studies and improvements to service the anticipated construction work and additional population.

In August 2007, work began to update the Port's master plan. The

Volume	Section	Paragraph	Page Number	Line, Table, Figure	Comment
K-055-341					Both training alternatives A and B require acquisition of non-federal land located east of Route 15 and Andersen South (central Guam). This would result in a significant impact on land ownership. Access to property associated with either alternative would be limited to authorized personnel most of the year. There would be new restrictions on public access. Access to historic sites, hiking trails and beach areas would require DoD approval and would be limited to periods of no training and subject to DoD approval. The proposed firing ranges on the property would generate an SDZ that extends into the submerged lands with access and navigation restricted during training, but no acquisition is proposed. This added restriction to non-DoD submerged lands is considered an adverse impact to submerged lands use. The submerged land issue is not adequately addressed in the DEIS. More information on the part of the DoD is required concerning the firing range complex restrictions.
2	8	8.2.3.2	8-61		
K-055-342					Alternatives A and B would require relocation of the International Raceway Park and residences, affecting multiple landowners. The majority of the site is undeveloped. There are natural and cultural resources that encourage educational and recreational activities in the area. These activities would be suspended during training. Live munitions training is not consistent with the planned residential land use at or adjacent to the Route 15 alternatives. Although the impact to land use could be considered beneficial with respect to maintaining open space, the impact analysis conservatively assumes there would be an adverse, but not significant, impact to land use based on incompatibility of training ranges and planned designated residential land uses in the vicinity. Training alternatives would result in the relocation of the International Raceway Park and several private residences. The use of this area for training is incompatible with the surrounding residential land uses in the vicinity. These impacts are adverse and contrary to the issues identified at the public scoping.
2	8		8-62		
K-055-343					Both alternatives encompass lands designated for residential and open space park land uses. The residential land uses would be incompatible with the nuisance noise generated at the firing ranges. These alternatives result in an impact of restricted land use and increased nuisance noise.
2	8		8-63		
K-055-344					Summary—all action alternatives have significant impacts on land ownership, because the approach to analysis assumes the forced sale of land by the federal government for the firing range complex and roadway improvements. Alt 1 requires additional federal acquisition of non-DoD land for developing the main confinement area. The new range complex would restrict land and submerged land access during training events, which would occur most of the year. None of the alternatives address all of the concerns of the public identified during scoping.
2	8	8.2.3.5			
K-055-345					There are several recreational resources that the public would lose the access to, and the use of the features if the proposed action (alt 1) were implemented: Guam International Raceway, Marbo Cave, Pagat Trail and associated trails near it, cultural gathering activities, and off-shore fishing near Marbo Cave. Implementation of Alt 1, regardless of the Training Complex Alternatives A or B, would cause the cessation of the present activities at all the resources mentioned because the Known Distance Range Complex is proposed in that location. The loss of Guam International Raceway land and use would be an adverse impact. Therefore, Alt 1 would result in significant impacts to recreational resources in the NORTH.
2	8		9-19		

recommendations and updates address future expansion and development based on typical commercial growth, as well as the impending military relocation. A final draft Port master plan was completed in April 2008 which updated the existing master plan and set the road map for upgrading the facilities. The Port master plan was approved by the Guam Legislature in December 2009. The master plan calls for nearly \$200 million in capital improvement upgrades to the Port facilities. The modernization program would address both Guam's expected growth without the proposed action and the anticipated increase in cargo volume resulting from the proposed action.

The initial upgrades to the Port, which would largely deal with demolition of older facilities, reconfiguration of laydown areas, and traffic/security improvements to increase cargo flow, were scheduled to start in the near term. However, the recent denial of grant funding from the U.S. Department of Transportation is forcing the Port to reevaluate its planned modernization. Longer term improvements, including pier refurbishment, construction of new deep draft piers, and dredging to support such construction, have yet to be programmed. Any planned improvements would be required to comply with both Guam and federal environmental protection laws, including, but not limited to, the Endangered Species Act (ESA), Clean Water Act (CWA), and the National Environmental Policy Act (NEPA) to the extent applicable. The modernization plan would increase demand capacity to ensure that Guam's only commercial port is developed and managed to adequately accommodate and capitalize on the expansion (including the military relocation) expected to occur over the next few decades.

Funding for the Port's improvements (modernization) and expansion is anticipated to come from various federal agencies, GovGuam, and private sources. The funds for capital improvements would likely be repaid through user fees that would then be passed on to consumers, businesses, and other entities (i.e., DoD).

Volume	Section	Page Number	Page Number	Line Table Entry	Comment
K-055-346	2	10		10.2-15	Table 10.2-15 summary of main canyonment impacts to Terrestrial Biological Resources. The alternatives all result in potential impact from invasive species as well as potential impact from the removal of endangered species habitat in the Overlay Refuge.
K-055-347	2	16	16.2.3 - 5		The construction boom would entail substantial growing pains related to rapid population influx and housing shortages. These impacts combined with others such as increased noise and traffic, would substantially impact quality of life on Guam for several years. Most public service agencies would need to rapidly expand their services and staff during peaks then cut back when construction ends. The large increase and subsequent rapid decrease in construction-related population means that the proposed action creates a boom-bust economic cycle on Guam that strains public services and could result in a recession-like environment following the construction phase. Shortages of housing and other resources could be the norm. The cost of living could increase because the high demand for resources. An enormous burden will be placed on GovGuam to plan for the boom and ensure that housing and other resources are not over-built leading to underutilization in the future. To mitigate these adverse impacts, the DoD can relax the construction and operations timeline to lessen the adverse impacts on Guam. The construction phase will clearly be the most detrimental to the quality of life on Guam.
K-055-348	4	2		2-10 2.3.1	Beneficial reuse of dredged material should be the preferred disposal method and should not be dismissed because of the lack of analysis in DEIS preparation. The beneficial uses of dredged materials are being dismissed, but should receive highest priority. This EIS must make more of an effort to plan for and assess and prioritize beneficial uses for dredged material. Even fine sediments can be treated to use as wall-forming building materials, landfill cover, construction fill, firing range bombs, rehabilitation of quarries, etc. and needs to be seriously considered in this EIS for other military, Guam, and regional projects. E.g., could the ships bringing in bulk aggregate or construction materials to Guam leave Guam carrying dredged material to Yap where the State Government needs fill for construction projects but lacks it? Or, is the Navy agreement with the Port Authority of Guam to provide dredged material for dock construction still valid? Also, with projected sea level rise, shouldn't dredged material be incorporated into adaption plans to raise land levels to avoid coastal flooding on DOD lands and other Guam lands?
	4	2		2-23	Mechanical dredging is the most environmentally damaging approach. Sufficient justification for its use is not provided. Hydraulic dredging should be preferred to lessen impacts to marine life. Ocean disposal is the least preferred option. If all dredged material cannot be put to beneficial use, an option of beneficial use and upland disposal should be priority, with the ability to use the material in upland disposal for future beneficial uses. The DEIS fails to adequately identify and plan for beneficial uses of the dredged material, which can be valuable asset. The option of mixed beneficial use and ocean disposal should be replaced by beneficial use and upland placement. DEIS does not provide enough information and discussion on other beneficial uses of dredged materials.

The master plan calls for development of new facilities to handle increased customs and agriculture inspection requirements. It is anticipated that increased customs and agricultural inspection requirements will be coordinated through both Guam and relevant federal officials, including the U.S. Department of Agriculture. DoD will work with the Port and relevant Guam and federal inspection authorities to address required inspection of military cargoes that pass through the Port. Relative to shipment of materials through the Port to support the military realignment, DoD would also work with the same entities to develop plans to ensure that required inspections are conducted prior to release of materials to DoD construction sites. The increased inspection needs associated with civilian population growth will be a function of Port planning, implementation, and coordination with relevant Guam and federal customs and inspection authorities. In any instance, it is not anticipated that DoD would conduct the required inspections. As noted above, funding for Port improvements, including increased customs and agricultural inspection requirements, would be funded from federal agencies, GovGuam, and private sources. DoD would work with the Port to identify possible increased sources of federal funds. Relative to shipment of DoD cargoes, DoD anticipates reaching agreements with the Port and relevant Guam and federal officials to handle the costs of customs and agricultural inspections.

The construction schedule of the Port improvements is unknown. Port improvements are included in Volume 7, Chapter 4. Without the construction schedule, potential conflicts are not addressed.

**K-055-194**

Thank you for your comment. Roadway construction projects are not expected to have an appreciable affect on traffic flow in/out of the port. Traffic management plans are anticipated during road construction projects with the goal of minimizing the affects of road construction on the traveling public. Ultimately, road construction projects at the port

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REVIEW COMMENTS SHEET

Comment	Response	Page Number	Line / Table Figure	Comment		
<b>K-055-349</b>	4	4	1	4-8	"...all facilities within this area would be designed and constructed to elevate the structure out of the flood zone..." The impacts associated with elevating the proposed structures within flood zones need to be assessed. If fill is used to elevate the facilities, will it be fill from this project's dredging or imported fill that may introduce damaging invasive species? If proposed land facilities are elevated, the impacts on changing the hydrological dynamics of the flood zones should be addressed.	
<b>K-055-350</b>	4	4		4-10	"It is the intent that all designs would result in 100% capture and treatment, if required, of stormwater runoff" This has not been the Navy practice on Guam, even in recent construction, such as Bravo Wharf at Polaris Point. The EIS must explain why this design practice will be followed for the proposed CVN projects. Cite regulations, laws and policies that will make Navy follow this design practice.	
<b>K-055-351</b>	4	4	3	4-11	Silt curtains. The proposed dredged depths are beyond the effective depth of silt management of silt curtains, as observed in the Kilo Wharf construction application of silt curtains. The benthic resources adjacent to the dredging become covered with silt escaping from under the curtains, which do not hang deeper than 30 feet in past practice.	
<b>K-055-352</b>	4	4		4-13 & 14	4-2-2	Dredged sediment contamination levels reported as composites. Reporting on composite sampling of sediments is a mechanism that conceals evidence of certain significantly contaminated hot spots. Also, although individual contaminant levels may be below established risk levels, the real impacts on living marine resources depend on the synergistic impacts of all contaminants and the sensitivity of each of the species that occur in the impact areas. Reevaluation may be warranted.
<b>K-055-353</b>	4	4	230.12 C	4-32	"The discharges of fill materials would not cause or contribute to violations of any federal or Guam EPA water quality standard with the implementation of BMPs to control turbidity" The DEIS does not explain how the BMPs will prevent exceeding allowed turbidity levels, when their previous uses in Apra Harbor did not accomplish this. Improved BMPs are needed and should be addressed in the EIS. These include doubling of silt curtains, extending curtains deeper than 30 feet use of environmental dredging buckets, if hydraulic dredging is not done, and use of bubble curtains.	
<b>K-055-354</b>	4	4	230.12 D	4-32	"The placement of fill materials would not result in significant adverse impacts to human health and welfare, including municipal and private water supplies, recreational and commercial fisheries, or special aquatic sites." Impacts on special marine habitats and possibly fisheries could be significant. More analysis is needed. Lack of information makes it impossible to determine whether other special or unique or valuable species suspected to live in the area of direct dredging impacts will be significantly impacted. For example, two species of the whiptail fish, genus <i>Pentapodus</i> , are only known to occur in the Marianas and Guam in the deeper turbid areas of Apra Harbor. This indicates that this is a unique environment that probably contains other species not found elsewhere. The CVN channel and turning basin dredging can significantly impact currently unknown marine life, especially unique benthic invertebrates and corals. But the DEIS does not address information for these species or allow for mitigation to protect them.	
<b>K-055-355</b>	4	4	230.61	4-45	"Testing would be accomplished within three years of the start of the proposed construction dredging. Does this mean testing results will not be available until after the dredging starts?"	

(Route 11 strengthening and Route 1/11 intersection) will improve traffic flow to/from the port for all users.

**K-055-195**

Thank you for your comment. Please see response to K-055-193.

**K-055-196**

Thank you for your comment. DoD has prepared the Guam Solid Waste Utility Study that looks at the existing and projected solid waste volumes generated from the future Marine Corp buildup. Estimates for this Utility Study were developed using Marine Corps Base (MCB) Hawaii, Kaneohe Bay (KB) solid waste characterization analysis. Solid waste generation activities for military installation on Guam and MCB Hawaii-KB are similar. Both military installations have similar facilities including maintenance shops, administrative offices, commissary and exchange facilities, fast-food establishments, club operations, family housing and unaccompanied personnel housing. The results of the solid waste characterization study will be incorporated into the FEIS.

The Navy is preparing a Recycling and Solid Waste Diversion Study for DoD Bases, Guam that has established a diversion goal of 50 percent, not including construction and demolition debris. The Study is considering the following alternatives: 1) DoD would construct two refuse transfer facilities, one in northern Guam and one in Southern Guam; 2) DoD would implement a source separation recycling program at all facilities; 3) DoD would construct recycling center(s); and 4) DoD would construct a materials resource recovery facility.

The DoD has also prepared a Construction and Demolition (C&D) Debris Reuse and Diversion Study which addresses the anticipated waste streams during the demolition of old buildings and construction of new facilities identified in the EIS. The study also addresses green waste that

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K-055-356	4	8	8.2.2.2	8-5	"Multiple uses of Apra Harbor would continue..." Because of many conflicting marine water uses, a comprehensive master plan of water use for Apra Harbor, including Military uses, is needed.
K-055-357	4	9		9-1	"Existing and projected public and visitor recreational uses..." This chapter fails to develop and analyze data on the multiple tourist and residential recreational uses in Apra Harbor that will be impacted by the CVN and Marines proposed activities and how they will be impacted. A comprehensive plan for DOD and Non-DOD water uses in Apra Harbor is needed and should be part of the EIS support activities.
K-055-358	11	11.1		11-1	"The Jade Shoals site, located to the northwest of Western Shoals and Big Blue Reef..." Jade is northeast of the Western Shoals.
K-055-359	11	11.2.2.4		11-73	"Guam Department of Water Resources (GDWR)" Should be "Guam Division of Aquatic and Wildlife Resources".
K-055-360	4	11		11-89	"Artificial Reefs within Apra Harbor or Other Locations. If artificial reefs are proposed to be utilized to make up for losses of reef fishes, why aren't quantitative assessments of fishes in the impact areas before dredging being utilized in mitigation calculations?"
K-055-361	4	11	11.2.5	11-105	"To date, the coral community in the potentially affected area has not been documented to be comprised of unique species that could be lost from the Apra Harbor system" Although most of the coral community to be destroyed by dredging is made up of the common species <i>Porites rus</i> , unique communities containing dense coverage of "rare" corals, including <i>Pocillopora</i> (cf. <i>P. alcicornis</i> ) and <i>Leptoseris</i> (cf. <i>L. gardineri</i> ), also were observed there by the resource regulators team. These make up healthy coral habitats apparently found nowhere else in the Marianas or any other US controlled waters. They could be permanently lost under direct impact of the dredging for CVN channel and turning basin. Basing impact values and mitigation on simply live coral coverage does not recognize values of such special and unique coral communities.
K-055-362	4	12		12-6	"No impacts to NRHP-eligible or listed archaeological or architectural resources or traditional cultural properties" The known listed historic sites in Apra Harbor are not in the impact areas of proposed dredging. With no survey for submerged cultural resources being done in the dredging impact areas, it is incorrect to assume there are no NRHP-eligible resources that would be affected. The known listed historic sites in Apra Harbor are not in the impact areas of proposed dredging. With no survey for submerged cultural resources being done in the dredging impact areas, it is incorrect to assume there are no NRHP-eligible resources that would be affected. A survey for submerged cultural resources in the areas to be dredged should be done as part of the EIS.

will be generated from clearing many acres of vegetation. The goal of the study is to divert 50% of the C&D debris by the end of fiscal year 2015.

The non-DoD project solid waste volumes will be handled in accordance with the existing Guam Integrated Solid Waste Management Plan (ISWMP). GBB is expediting the closure of Ordot and the opening of Layon in the most expeditious manner possible.

DoD is in the process of updating the military Integrated Solid Waste Management Plan (ISWMP) to reflect how waste will be managed now and in the future. The updated DoD ISWMP will include any new information from studies and reports that have been conducted as part of the NEPA process.

**K-055-197**

Thank you for your comment. Volume 2, Chapter 17 discusses how hazardous wastes would be transported, stored, handled, used, and disposed. This Chapter also discussed the requirement for DoD to comply with the Guam Hazardous Waste Management Regulations.

Volume 2, Chapter 17 discusses the circumstances when munitions and explosives of concern (MEC) would be considered RCRA waste and when MEC may be considered hazardous waste. In addition, Volume 7 discusses best management practices (BMPs) and standard operating procedures (SOPs) that would be implemented to protect human health and the environment from hazardous wastes and MEC.

**K-055-198**

Thank you for your comment. Please see response to K-055-196.

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K-055-363	4	14	2	14-1	"Refer to Volume 6 for off-base road impacts" Volume 6, Chapter 13 claims that none of the road projects for Central Guam and the Apra Harbor area have potential to impact marine biological resources because there would be no net increase in impervious cover over existing conditions. Therefore, no specific mitigation measures are proposed in the DEIS. But the military haul roads are being reconstructed to withstand the pressure of increased heavy traffic due to the DOD buildup. Increased military traffic will cause increased pollutant loads that run off the road surface and in many sites already directly carry pollutants to surface waters impacting Apra Harbor waters. The reconstruction of military haul roads to support Navy and Marine Corps buildup on Guam should include mitigation measures to control pollutants in runoff water through designed stormwater management facilities and best management practices.
K-055-364	4	14		14-4 & 6	"Because the annual number of vessels visiting the Port of Guam has decreased by 1,902 vessels over the period of 1995 to 2008, it is expected that the addition of about 300 vessels per year would have a less than significant impact on marine transportation in Apra Harbor." Not all vessels have the same impact. This data is misleading because it does not compare changes of similar vessels with similar impacts. The large decrease of vessels in past years probably reflects decreases in port visits of fishing vessels, whereas the additional vessels in future years would be cargo and bulk carriers with very different impacts on marine transportation. Impacts of the actions on smaller vessels in the Apra Harbor, including recreational, tourist and local fishing vessels were not discussed. Security needs and area closures during CVN visits would interfere with these small boat uses.
K-055-365	4	16	2	16-10	Long-term operational effects on tourism would include force protection restrictions during carrier ingress and egress restricting diving and tourist operation. However, these economic impacts to tourism would be somewhat mitigated or compensated for by increased tourism from military personnel. Some estimated dollar values for these trade-offs in compensation should be given in the EIS.
K-055-366	4	16		16-21	"Summary of Potential Mitigation Measures" Listing potential mitigation without committing the DOD to provide the necessary resources to mitigate negative impacts caused by DOD actions and identifying how the DOD would implement these, is not sufficient. Saying the DOD will "assist" GovGuam in seeking funding from other sources has already proven futile and frustrating to Guam in repeated JGPO attempts in past years. A DOD budget commitment for these and other mitigation actions is required.
K-055-367	17		17-4	17.2-3	"substitute hazardous waste for non-hazardous waste as applicable" Shouldn't this be vice-versa, and substitute non-hazardous waste for hazardous waste?
K-055-368	17		17-7	17.2-5	"Summary of BMPs and SOPs: substitute hazardous waste for non-hazardous waste" Shouldn't this be vice-versa, and substitute non-hazardous waste for hazardous waste?

**K-055-199**

Thank you for your comment. Volume 2, Chapter 17 provides information regarding how hazardous materials, hazardous waste, and toxic substances will be transported, stored, handled, used, and disposed. This would include medical and dental wastes, dredged materials, and other wastes such as waterfront wastes. In addition, Volume 7 presents best management practices (BMPs) and standard operating procedures (SOPs) to be implemented that are designed to be protective of human health and the environment.

**K-055-200**

Thank you for your comment. Please see response to K-055-196.

**K-055-201**

Thank you for your comment.

**K-055-202**

Thank you for your comment. DoD is restricted on its budget expenditures for their personnel and facilities. DoD would be a customer of the new landfill and would pay tipping fees. Guam needs to arrange the tipping fees such that they will sustain the landfill for all aspects, including operations, maintenance, closure, financing for future expansion or replacement, etc. The EIS contains an estimate of the volume of waste expected from DoD. Knowing the tipping fee, the landfill operator should be able to estimate the amount of revenue they would receive.

**K-055-203**

Thank you for your comment. The proposed actions are complex, inter-related, multi-service proposals and are not discrete individual actions of the different military services. The National Environmental Policy Act specifically prohibits segmentation of a large proposal into smaller

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K-055-369	4	19	19-4		Chapter 16 also describes potential impacts related to crime and social order issues and community cohesion, but recommended potential mitigation measures would reduce impacts to a less than significant level. Accordingly, these impacts would not have a corresponding impact with regard to environmental justice and protection of children. Listing potential mitigation in Chapter 16 without committing the DOD to provide the necessary resources to mitigate negative impacts caused by DOD actions and identifying how the DOD would implement these, is not sufficient. Saying the DOD will "assist" GovGuam in seeking funding from other sources has already proven futile and frustrating to Guam in repeated JGPO attempts in past years. A DOD budget commitment for these and other mitigation actions is required.
K-055-370	6	2	2-103		Disposal of asbestos and other debris with low levels of contamination (e.g. polychlorinated biphenyls at less than 50 parts per million) can be disposed in a RCRA Subtitle D municipal solid waste landfill. However, it appears that a majority of this type of waste would be classified as "unacceptable" waste and would not be allowed at the Layon Landfill. How, then, does DOD plan for the disposal of low level contaminated debris?
K-055-371	7	3	3.3.4.2	3-99	Ambient air quality data has not been collected since 1991. Therefore, no existing ambient air quality data are available to represent current air quality conditions with respect to the criteria pollutants for which the NAAQS were established. Calls into question the determination that there will be no impact to air quality since there is no background data to compare changes to.
K-055-372	7	3	3.3.5.3	3-102	Long-term operation noise impacts would be related to increased traffic on the Guam roadway network under the preferred alternatives. Traffic noise would be most evident in northern and central Guam and around Apra Harbor. Mitigation techniques not identified except for the potential for noise barrier walls along roadways.
K-055-373	F		v		A lot of data on effects or impacts, but no discussion of metrics. Without some understanding of what is a positive impact and what is a negative impact it will be difficult to draw any conclusions from any of this data.
K-055-374	9	F	vii		Discussion of "service population" and the assumption that impact is defined by any change to the current ratio of public service staff to service population. The unstated assumption here is that the current level is the acceptable level of service. No stated measure of whether an increase or a decrease in the ratio is desirable. Again the judgment of what is a positive impact is not clear.
K-055-375	9	F	iv		The text states that an approximate number of permits that would be required to support the proposed action. No explanation of the method used to estimate this number is provided in the ES and no mention is made regarding any potential sensitivity that may exist regarding this value. There are likely many examples of assumed input parameters such as this that could effect the outcome of the evaluation. A sensitivity analysis would be invaluable in determining which of these is critical to the analysis and would benefit from additional data collection.
K-055-376	9		x		This section is loaded with judgments that don't have any apparent datum. "Beneficial" and "Adverse" are used with no explanation of what the terms mean. The lack of clear treatment of the meaning of beneficial or adverse leaves doubt regarding the value of the judgments and the fairness of the comparison.

actions for environmental analysis. As this EIS shows, the proposed and related actions are having effects on the same resource areas and must be considered together to determine the full potential for environmental effects. Further, a comprehensive analysis helps define the best mitigation and management practices to lessen adverse effects.

**K-055-204**

Thank you for your comment.

**K-055-205**

Thank you for your comment. Refer to Volume 6, Chapter 8 for a discussion of mitigation measures for noise impacts from roadway operations. Although many receptors within the North and Central Regions are expected to experience future traffic noise impacts, the locations where these impacts would occur would require abatement measures that would not be feasible. Specifically, the land adjacent to Routes 1, 3, and 9 in the North Region and the land adjacent to Routes 1, 8, 10, 16, and 27 in the Central Region consist of several residential areas where many residences have driveways that provide direct access to the routes, thereby resulting in issues of sound wall discontinuity. For a sound wall to provide sufficient noise reduction, it must be high enough and long enough to shield the receptor from the road. Access openings in the noise barrier for streets, driveways and maintenance severely reduce the effectiveness of the noise barrier to the point that it would not be feasible to construct a barrier. Furthermore, for most of the locations, there are not enough residences per area to allow a noise barrier to be reasonable due to the cost per benefited receptor. Sound walls must meet both the feasible and reasonable requirements under Guam's Traffic Noise Abatement Policy (TNAP) to be considered for construction. Sound walls have been identified in areas of the North and Central Regions that meet the feasible and reasonable criteria of TNAP.

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K-055-377	9	F	1.2.1	1-1	Paragraph at the bottom describes some of the shortcomings of the analysis. While the first two are not critical the third issue (no evaluation of "no action") makes comparison of the impact from the proposed action difficult to assess. The fourth and fifth bullet items would normally be the point of an impact analysis. Specifically the significance of the impacts and the possible mitigation efforts. The lack of a "base case" in the form of the no action alternative would make judging impacts difficult, but significance wasn't evaluated and mitigation is not considered. The study would seem to be mostly a data report.
			1.4.1	1-7	First sentence states that population change is "usually the fundamental driver" there is no mention of what the other drivers might be and under what conditions they would be more important than population change. Weakens any conclusions that may be made based on population change evaluations.
K-055-378	9	F	2.1.1.1	2-2	Paragraph at top of page addresses question of number of new jobs that would get filled by Guam residents not currently employed. Statement is made that the answer is affected by how much the employment rate declines. It seems to me that if the Guam residents take the jobs the unemployment rate goes down. The unemployment rate is the result – not the effect.
			2.1.1.4	2-3	Statement is made that household population of in-migrants will be similar to either the place they come from or the place they migrate to. It is not clear how this assumption is used in estimating population growth. The sensitivity of the analysis to this assumption has apparently not been evaluated.
			2.1.1.4	2-3	Third paragraph states that an underlying assumption built into the unconstrained scenario. If out-migration assumption is incorrect the evaluation may also be incorrect.
K-055-379	9	F	2.2.3	2-7	First paragraph states that the Guam economy will experience a low capture rate but no discussion regarding reasoning is provided. It may be a good assumption but not explained. How important is this assumption?
			2.2.3.1	2-7	Last paragraph states that construction related impacts are not expected to have a large impact on Guam economy. Again this may be true but not clear why.
K-055-380	9	F	Chpt 4		Overall this is a very well presented evaluation of the potential changes that could occur given the proposed action. In that sense it is an impact analysis. However there is no evaluation of the importance or value of the change. No discussion of beneficial or adverse change even though the use of the word consequence in the Chapter Title suggests there may be some value judgments included. This comment applies throughout and won't be repeated for each subsection.
K-055-381	9	F	4.2.1.2	2	Values are presented here for the first time in Chapter 4 and they are very precise and presented as a range. The topic is population growth so the numbers are population change projections. There is no information provided on how the range of values was handled, i.e. was the range used or was a midpoint or average used in the subsequent calculations. Also no mention of any sensitivity is provided. This Chapter is full of tables and numbers and this comment applies to all of them and won't be repeated.

**K-055-206**

Thank you for your comment. Noise associated with airlift, airdrop, and landing zone operations are described in Volume 2, Section 6.2 and referred to as Aviation training. Flight paths from Andersen AFB to NWF are included in the noise contours shown on Figure 6.2-1. All other flight paths from Andersen AFB to the other training areas would occur over water. Aviation noise as a result of the USMC Relocation to Guam are such that mitigation is not required. Please refer to Volume 7, Chapter 4 for more details about the cumulative impact analysis.

**K-055-207**

Thank you for your comment. The differences between the environmental effects of mechanical and hydraulic dredging are discussed in Chapter 2, Volume 4 and Appendix D of the EIS. Mechanical dredging involves use of a clamshell or fixed bucket that excavates the dredge sediment from the harbor floor and then carries the sediment in the full bucket through the water column before lifting the bucket out of the water and placing the dredged sediment in a nearby barge or scrow. During this movement, a small fraction of the collected sediment will escape from the bucket and create suspended sediment in the lower and higher levels of the water column. On the other hand, a hydraulic dredge works solely on the harbor floor and any suspended sediment will emanate only in the lower portion of water column. As a result, the plume of suspended sediment is generally greater with use of conventional clam shell bucket as compared with a hydraulic dredge. However, use of hydraulic dredging is generally limited to soft bottom sediment on relatively flat surfaces. Mechanical dredging, which has historically been used in Apra Harbor, was chosen as the dredging method for evaluating environmental impacts as it presents the most adverse impact scenario.

A sediment plume is an inevitable effect of in-water construction activities. The Navy proposes to minimize sedimentation by using best

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K-055-382	9	E	4	E-2	"In addition, to date the coral community in the potentially affected area has not been documented... As the project area was dredged in 1946, the existing community is the time-integrated response to the previous impact. Hence, the existing coral community structure provides an estimate of expected pattern of response to the proposed actions." Lack of information makes it impossible to determine whether other special or unique or valuable species suspected to live in the area of direct dredging impacts will be significantly impacted. For example, two species of the whiptail fish are only known to occur in the Marianas and Guam in the deeper turbid areas of Apra Harbor. This indicates that this is a unique environment that probably contains other species not found elsewhere. The CVN channel and turning basin dredging can significantly impact currently unknown marine life, especially unique invertebrates and corals in areas below the dredge depth that will be smothered with silt. But the DEIS does not address information on the species in these impact areas below 18 meters or allow for mitigation to protect them.
			5	E-2	"Impacts to fish populations, infaunal or epifaunal organisms and water quality would be short term and localized. A Biological Assessment is being prepared to further describe these impacts. No significant impacts on these resources were identified and no compensatory mitigation is proposed." Impacts to the unique infaunal and epifaunal organisms in the area to be dredged have not been adequately assessed to allow a conclusion of no significant impact, which is based on studies outside of Guam.
K-055-383	9	E	6	E-3	"...sediment thicknesses of 13 ft (4 m) or greater are to be dredged..." Should state how thick are the thickest sediments that will be dredged, perhaps over 40 feet, and whether solid reef rock, rather than just sediments, will have to be removed in the dredged area.
			8	E-3	"Plumes near the bottom would be more extensive because most of the suspended sediment is released into the bottom layer, and it also receives all of the TSS contained by the silt curtain." Observations by regulatory agencies' staff in the proposed CVN turning basin and channel dredging areas recorded frequent presence of finer siltier sediments rather than coarse sediments. This will affect turbidity plumes and suspension times. Recent dredging operations in Apra Harbor show that silt curtains can only be extended to 30 foot depths. The deeper depths of necessary CVN site dredging makes the curtains less effective. Other management practices, or dredging mechanisms will be necessary to better control the dredging impacts. If need for such management practices is not recognized in the DEIS and is not considered until permits are sought, the permitting process may cause serious delays in dredging projects.
K-055-384	9	E	3.4	23	"Notes unresolved issues on use of artificial reefs as means to develop a budget for compensatory mitigation" Guam and Federal regulatory and natural resources agencies do not accept that artificial reefs be used as compensatory mitigation for coral reef function losses due to the CVN project and object to their use as a means for calculating mitigation needed through the HEA process. Additional in situ data from the impact area and watershed mitigation activity information should be addressed in the HEA process in the Final EIS or a Supplemental EIS for the dredging impacts.

management practices such as silt curtains and operational controls of dredging equipment. Final mitigation measures for all dredging activities will be determined and agreed upon during the permit phase of the projects.

**K-055-208**

Thank you for your comment. Volume 2, Section 2.1.5.2 of the Draft EIS describes beneficial reuse as the preferred dredged material management option over upland placement and ocean disposal. The Navy continues to develop a list of potential reuse options that include projects related to the proposed action and other projects. Reuse opportunities and the volumes of material required are identified in the EIS. The physical properties of the dredged material needs to meet the specific reuse project engineering requirements. For example, silty fine dredged material would not be suitable as aggregate for roadways. The dredged material management plan would describe reuse projects for the proposed actions, but is not available for inclusion in the Final EIS. The plan would be included in the Army Corps of Engineers permit application.

**K-055-209**

Thank you for your comment. The existing dredged material is eligible for consideration for reuse and would have to meet chemical and physical requirements of the intended reuse. The material did not require special handling and met the regulatory requirements for unlined upland placement sites.

**K-055-210**

Thank you for your comment. Please refer to Volume 3 and Volume 9, Appendix D for a discussion of the munitions and explosives of concern (MEC) associated with the proposed DoD action. All MEC is required to be transported, handled, stored, and used in accordance with all

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K-055-385	9	E	4.0 B	25	"Overall low values of turbidity and TSS noted (or good quality)..." Such water quality should be the basis of measuring dredging impacts, but it should be applied to those waters below the silt curtain depths where benthic communities will be most heavily impacted. "No impaired waters or TMDL's listed for Apra Harbor..." Guam EPA has only a single approved TMDL assigned, in the Ugum Watershed fresh water. Proper assessment of impairment and need for TMDL's of pollutants in Apra Harbor marine waters may not be done for years, if ever.
	9	E	4.0 B	25	"Coral colonies measured as a single length measurement parallel to the sea floor..." This measurement of a single dimension in a planar view is not an acceptable measurement to use for coral colony size and cannot be converted satisfactorily to calculate actual coral sizes. The in situ assessment approach is needed to assess coral values.
	9	E	4.0 C	27	
	9	E	4.0 D	28	"Steep reef slopes promote removal of sediment..." Although sediment impacts on organisms on steep slopes can be less than on more level bottoms, the sedimentation becomes cumulatively more damaging on the areas at the bottom of the slopes, which have living resources below 18 meters that are not being assessed. The DEIS appears to not even have looked at the deeper lagoonal resources in the dredging impact areas, giving no indication of what species exist there nor what losses will occur there due to the dredging.
	9	E	4.0 D	29	"As the project area was dredged in 1946, the existing community is the time-integrated response to the previous impact. Hence, the existing coral community structure provides an estimate of expected pattern of response to the proposed actions." Recovery from the original dredging has progressed for over 60 years. There are no data showing rapid recovery of soft bottom habitats in Apra Harbor, as is predicted in the DEIS, and used as a basis of no significant impact expected on these unconsolidated bottom communities. The current and near future cumulative impacts of land and water activities impacting these marine communities will be much greater in many ways than the impacts from 1946 to the present.
K-055-386	9	E	4.0 D	29	"Alpha-Bravo Wharves silt curtains retained 90% of TSS from dredging" Special protocols were used during the dredging at Alpha and Bravo wharves that included double curtains and curtains that moved with the dredging barge, keeping the curtained area tightly confined...But silt still spread under the curtains.
	9	E	4.0 E	29	

applicable federal and government of Guam regulations. Specifically, Military Handbook 1027/3B contains procedures for reducing potential MEC impacts through the implementation of best management practices (BMPs).

Certainly an important operational component of MEC storage is the associated explosive safety hazard arc, called the Explosive Safety Quantity Distance (ESQD) arc. These are planning areas that surround explosive hazard sites and define the minimum permissible distance between the hazard of the explosive and any inhabited building, public assembly area, and/or the boundary of DoD lands.

**K-055-211**

Thank you for your comment. The differences between the environmental effects of mechanical and hydraulic dredging are discussed in Chapter 2, Volume 4 and Appendix D of the EIS. Mechanical dredging involves use of a clamshell or fixed bucket that excavates the dredge sediment from the harbor floor and then carries the sediment in the full bucket through the water column before lifting the bucket out of the water and placing the dredged sediment in a nearby barge or scrow. During this movement, a small fraction of the collected sediment will escape from the bucket and create suspended sediment in the lower and higher levels of the water column. On the other hand, a hydraulic dredge works solely on the harbor floor and any suspended sediment will emanate only in the lower portion of water column. As a result, the plume of suspended sediment is generally greater with use of conventional clam shell bucket as compared with a hydraulic dredge. However, use of hydraulic dredging is generally limited to soft bottom sediment on relatively flat surfaces. Mechanical dredging, which has historically been used in Apra Harbor, was chosen as the dredging method for evaluating environmental impacts as it presents the most adverse impact scenario.

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K-055-387	9	E	4.0 E	30	"Plumes near the bottom would be more extensive because most of the suspended sediment is released into the bottom layer, and it also receives all of the TSS contained by the silt curtain." Observations by regulatory agencies' staff in the proposed CVN turning basin and channel dredging areas recorded frequent presence of finer siltier sediments rather than the coarse sediments that are said by the DEIS to be dominant. This will affect turbidity plumes and suspension times and extent of indirect impacts. Recent dredging operations in Apra Harbor show that silt curtains can only be extended to 30 foot depths. The deeper depths of necessary CVN site dredging makes the curtains less effective. Other management practices, or dredging mechanisms will be necessary to better control the dredging impacts. If need for such management practices is not recognized in the DEIS and is not considered until permits are sought, the permitting process may cause serious delays in dredging projects.
K-055-388	9	E	C		All In general. This summary document combines the data of several studies, most of which are appended in the DEIS Volume 9. As covered repeatedly in comments in Appendices E, J and K, there are basic flaws in the Navy's DEIS approach to assessing coral reef resources in Guam and their functions to be lost because of the CVN dredging and facility development. These flaws have been pointed out by Federal and Guam Government experts for the last two years as the DEIS has been developed. They have offered assistance in a better approach based on in situ surveys rather than photo interpretation. But the developers of the DEIS have resisted use of the help and not produced a satisfactory evaluation of resources to be impacted, effects of the CVN projects, and mitigation needed. Most of the comments made under other parts of this review of Appendix E can also be applied to Section C, but will not be repeated here in duplicate.
K-055-389	9	E	D		All D in general. Much valuable information is provided in this Outer Apra Harbor CVN impact area study. But a majority of the impact areas were missed by limiting the study to the upper 18 meters of depth. Also, limiting summary results to the 2-dimensional interpretation of coral cover does not adequately measure coral reef functions to be lost.
K-055-390	9	E	E	21	"Sediment plume impacting harbor floor "not covered with coral" A majority of the harbor floor within the direct impact area, i.e., the habitats deeper than 18 meters, has not been assessed or even viewed by divers in the DEIS studies. The amount of bottom "not covered with coral" cannot even be speculated and remains a large unknown coral reef resource area that will be heavily impacted by the dredging.
K-055-391	9	E	F	5	All In general. Detailed data and analysis is presented in this study of oceanographic conditions. But water current measurements were limited to a quarter of one year, missing seasonal variations that will affect the dredging impacts.
	9	E	F	5	"Average value of permanently lost acre of coral habitat is \$0.27 million." This value is for an average of all Guam coral reefs, but the unique reefs in the CVN dredge impact area would not be of average value. This value also is based on interviews with Guam residents, whereas other methods of evaluation were done that have a less subjective basis and should be noted in the DEIS

A sediment plume is an inevitable effect of in-water construction activities. The Navy proposes to minimize sedimentation by using best management practices such as silt curtains and operational controls of dredging equipment. Final mitigation measures for all dredging activities will be determined and agreed upon during the permit phase of the projects.

**K-055-212**

Thank you for your comment. The table which you are referring to does not imply that 30,000 construction workers will be from Guam. Please see Table 4.3-9 of the Socioeconomic Impact Assessment Study (Appendix F of the DEIS) for information on the Estimated origin of Workers Constructing Military Facilities.

**K-055-213**

Thank you for your comment. It is noted that the EIS process provides information on environmental impacts (this includes the human environment); however, there is a limit to the specific details of the impacts because the information used is based on the continuation of existing trends and behaviors. The EIS process along with the comments received provide information to the decision makers on the anticipated impacts of the proposed action. It is also noted that the Socioeconomic Impact Assessment Study (SIAS) discussed an unconstrained (maximal) scenario and a constrained scenario. The two scenarios represent a range of impacts that could occur should the proposed project be implemented under the current schedule. The SIAS is provided as Appendix F, Volume 9 of the DEIS.

**K-055-214**

Thank you for your comment. The acreage of SDZ over submerged lands for Training Range Complex Alternative A is approximately 4,439 acres and for Alternative B, approximately 6,003 acres. These values

Volume	Section	Paragraph	Page Number	Line Table Entry	Comment	
K-055-392	9	E	F	7	"Input based on live coral coverage." Even after adding an input of a limited three dimensional factor and rugosity to the coral cover data, the input for assessing functional values remains flawed because of the exclusion of data on colony sizes, species frequencies, species abundances, growth forms and diversity values. The input is unnecessarily limited. The extra data needed cannot be extracted from the two dimensional transect photos. The more appropriate data collected by the regulatory agencies with the "in situ" method needs to be used in the HEA process.	
					8	"Coral habitat index." Although 10 categories in a coral habitat index are established to add more than just live coral cover data to the assessment, this input is too limited to provide the assessment of functional values needed and values related to diversity of species impacted and species-specific ecological functions.
K-055-393	9	E	F	8	"Acreage of coral coverage." Corals in the direct impact zone but at depths greater than 18 meters will be severely impacted by rubble, silt and sediment from the dredging. But these deeper communities have not been assessed in any of the support studies and are treated as if they have no value. If these coral reef resources and their functional values, as well as the possibly unique species that may be only found in these deeper habitats, are not assessed, they should be considered in the HEA analysis as the worst possible case (total coverage of all these non-assessed areas with live corals being totally lost due to the silt and sediment of the dredging process).	
					11	"% of coral cover map." This map only colors in the coral cover areas less than 18 meters deep. Large areas of the direct and indirect impact zones have coral cover but appear to not have any coral because they have not been assessed and colored in on these maps. Even if these deeper corals are not removed by dredging, they will be severely impacted by the dredging. An explanation is needed to be placed on the map and shading on the areas that were not assessed because they are greater than 18 meters depth. This would show directly impacted areas that may or may not have coral cover, since they were not surveyed. If these deep coral reef resources are not assessed, they should be considered in the HEA analysis as the worst possible case (total coverage of all these non-assessed areas with live corals being totally lost due to the silt and sediment of the dredging process).
					14	"Initial service loss." Coral communities in the areas in the direct impact zone but deeper than 18 meters may receive 100% loss, but are not being assessed. If these deep coral reef resources are not assessed, they should be considered in the HEA analysis as the worst possible case (total coverage of all these non-assessed areas with live corals being totally lost due to the silt and sediment of the dredging process). But this would not address any unique species that may live only in these deeper impacted areas. Mitigation could not compensate for loss of such resources.
					14	"Duration of injury." Coral communities in the areas in the direct impact zone but deeper than 18 meters may lose ecological services in perpetuity, but are not being assessed. If these deep coral reef resources are not assessed, they should be considered in the HEA analysis as the worst possible case (total coverage of all these non-assessed areas with live corals, being totally lost forever due to the silt and sediment of the dredging process).

are in the Draft EIS Volume 2, Section 2.3. The greatest distance from coastline to outer edge of the SDZ for Alternative A is approximately 3.3 miles, and for Alternative B, approximately 3.2 miles. This information is added to the Final EIS in the same section as the SDZ acreage.

**K-055-215**

Thank you for your comment. This option was evaluated in the Draft Utility Report (Nov. 07). As described in the report, there is not sufficiently available yield in the Yigo sub-basin to support bringing this well on line. The estimate of available yield for the sub-basin is based on the 1992 sustainable yield estimates. DoD continues and will continue to evaluate water supply options.

**K-055-216**

Thank you for your comment. Volume 1, Chapter 4 is the references section; no part of Volume 1 provides details on BMPs. This comment is either improperly referencing the section the commenter is hoping to refer to, or is from a previous version of the EIS.

**K-055-217**

Thank you for your comment. The Final EIS includes consideration of many potential mitigation measures, including bubble curtains and alternative dredging techniques.

**K-055-218**

Thank you for your comment. Volume 1, Chapter 4 is the references section; no part of Volume 1 provides details on BMPs. This comment is either improperly referencing the section the commenter is hoping to refer to, or is from a previous version of the EIS.

**K-055-219**

Thank you for your comment. DoD and regulatory agencies are equally

DEIS  
REVIEW COMMENTS SHEET

Volume	Section	Paragraph	Page Number	Table/Figure	Comments
K-055-394	9	E	F	15	*One to two year recovery period for corals in indirect impact area is reasonable* No Guam study or evidence for this rate of recovery in similar Apra Harbor habitats impacted by dredging is provided. The Phuket Thailand area used as a basis for this rapid recovery factor has very different conditions from Apra Harbor's inner deep protected dredge sites.
					*Linear recovery use in HEA* Recovery should not be linear, but adjusted for a changing rate.
K-055-395	9	E	F	21	*...readily available information is not sufficient* The more appropriate data collected by the regulatory agencies with the "in situ" method needs to be used in the HEA process.
K-055-396	9	E	F	21	*Artificial reefs can relatively rapidly provide replacement functions* Artificial reefs do not rapidly provide coral cover, which is what Navy is using in the HEA. They can rapidly attract fishes from other habitats, but fish data is not being assessed in this HEA. It is advisable to use the more appropriate data collected by the regulatory agencies with the "in situ" methods plus new data on fishes, plants and macro-invertebrates in the HEA process. This requires more time but can be done before permit applications are submitted.
					*Navy estimates artificial reefs will provide 10% of baseline service levels in the year* Recruitment of new corals in Guam can be at a very low rate or negligible. If the functions measured in this HEA are limited to coral cover, the mitigation may be very slow. Other measures of ecosystem function should be considered in the HEA and mitigation.
K-055-397	9	E	F	23	*Linear recovery rate and 85% of services replaced in 10 years* This recovery projection seems too rapid. Recruitment of new corals in Guam can be at a very low rate or negligible. If the functions measured in this HEA are limited to coral cover, the mitigation may be very slow.
	9	E	F	24	

concerned about preventing contamination of surface waters and groundwater (particularly drinking water aquifers). The EIS describes numerous programs and actions that will be taken to protect surface waters and groundwater from stormwater runoff. Construction of new facilities will use Low Impact Development (LID) principles to the extent practical. LID is a design philosophy that seeks to reduce the impact to the environment from new construction projects through the reduction of impervious surfaces. LIDs principles incorporate the design of facilities with the use of native vegetation, pervious (porous) surfaces to reduce storm water runoff and encourage recharge of groundwater, and water conservation. DoD is currently conducting a LID study that will identify specific types of alternative designs that can be incorporated into the construction of facilities associated with the buildup. DoD is also preparing a stormwater pollution prevention plan (SWPPP) and will apply for permits that regulate stormwater discharges during construction. The permit and plan is focused on reducing the amount of earth and soil that is exposed to stormwater during earth-disturbing activities (such as land clearing and grading), providing stabilization of soils during construction through the use of ground covers, and sediment ponds and traps/screens to reduce pollutants getting into storm runoff and from percolating into the ground. These plans also have specific requirements for containment of potential pollutants at construction sites (such as storage areas for equipment fuel). Lastly, DoD is developing a construction and demolition (C&D) waste management plan in consort with the stormwater construction plan that calls for the use of mulch on exposed soils, mulch that will be generated during the clearing of trees and low growth during land clearing activities. Once construction is complete, a SWPPP will be developed to control stormwater runoff and infiltration from base operations. This is being done on a regional DoD Guam-wide scale, and has the involvement of Guam EPA.

**K-055-220**

Thank you for your comment. Refer to Volume 6, Chapter 8 for a

K-055-398	1 AB	1	9	DoD should address who are the members of the Army Air and Missile Defense Task Force?
K-055-399	5 RG 1 AB	1	12 & 13	Statement: The Draft EIS on "purpose and need" statement indicates to develop land-based terminal defense and to develop infrastructure and facilities that support the presence and operation of an AMDTF land based air defense capability on Guam. Comment: Does DoD plan on utilizing any government or private lands for the proposed project activities or will it strictly be situated on military land?
K-055-400	2 AB	1	23	DoD needs to explain what is a "weapons emplacement site"? Does this proposed site involve any clearing of land, any disturbance to natives species and their habitat, taking of Government or Private land?
K-055-401	2 AB	2	Fig 2.1-1	Weapons Emplacement - Alternative 4: What is the perimeter of the combined three sites? How will DoD address the impacts on the native species and their habitat?
K-055-402	5 RG 2 AB	4	9	Statement "for planning purposes it is assumed that all soldiers, contractors, and dependents would be permanently stationed on Guam". Comment: Does "contractors" as referred to on the above statement implying military personnel or are they foreign workers? If they are not military personnel and are foreign workers, it is not accurate to assume that they would be permanently stationed on Guam.
K-055-403	5 RG 2 AB	8	9	Statement "Other activities would include storage of petroleum, oils, and lubricants (POL); battery storage; fuel dispensing; and welding". Comment: What control or safety measures does DoD have in order to address the affects on the release of hazardous substance that may result from the discharge or release of any petroleum/oil spills?
K-055-404	2 AB	10	Fig. 2.3-2	From the Legend, what does "Class D Airspace" mean?
K-055-405	5 RG 3 AB	1	24	Statement: "A site-specific geotechnical investigation was not undertaken for this Environmental Impact Statement/Overseas Environmental Impact Statement (EIS/OEIS)". Comment: What is DoDs reason for not having the geotechnical investigation done?
K-055-406	3 AB	9	8	The second paragraph describes the Topography and landscape features, it further states that "if deemed hazardous...signs will be put in place etc." Why not take precautions now and not wait until it is deemed hazardous? You should always plan for the worst.
K-055-407	5 RG 4 AB	4	8	The DEIS statement on wetlands: The proposed project areas do not contain wetlands therefore an approach for analyzing wetland impacts is not presented here. Comment: Based on whose determination that there are no wetlands contained in the proposed areas? DoD should analyze to determine the type of soil in the area. Who is to say that the area is not a habitat for native species that live near or within the area. If there are native species, then yes wetlands will be impacted.

discussion of mitigation measures for noise impacts from roadway operations. Although many receptors within the North and Central Regions are expected to experience future traffic noise impacts, the locations where these impacts would occur would require abatement measures that would not be feasible. Specifically, the land adjacent to Routes 1, 3, and 9 in the North Region and the land adjacent to Routes 1, 8, 10, 16, and 27 in the Central Region consist of several residential areas where many residences have driveways that provide direct access to the routes, thereby resulting in issues of sound wall discontinuity. For a sound wall to provide sufficient noise reduction, it must be high enough and long enough to shield the receptor from the road. Access openings in the noise barrier for streets, driveways and maintenance severely reduce the effectiveness of the noise barrier to the point that it would not be feasible to construct a barrier. Furthermore, for most of the locations, there are not enough residences per area to allow a noise barrier to be reasonable due to the cost per benefited receptor. Sound walls must meet both the feasible and reasonable requirements under Guam's Traffic Noise Abatement Policy (TNAP) to be considered for construction. Sound walls have been identified in areas of the North and Central Regions that meet the feasible and reasonable criteria of TNAP.

#### K-055-221

Thank you for your comment. Noise associated with airlift, airdrop, and landing zone operations are described in Volume 2, Section 6.2 and referred to as Aviation training. Flight paths from Andersen AFB to NWF are included in the noise contours shown on Figure 6.2-1. All other flight paths from Andersen AFB to the other training areas would occur over water. Aviation noise as a result of the USMC Relocation to Guam are such that mitigation is not required. Please refer to Volume 7, Chapter 4 for more details about the cumulative impact analysis.

#### K-055-222

Thank you for your comment. The SIAS was completed in final draft just

GROUP 1				
K-055-408	5 RG 5 AB	2	26	Statements made regarding CO2 is questionable. With the various types of activities that DoD proposes, CO2 will definitely have an impact on climate change and effects on humans whether it be short or long term or in some rare instances, deadly effect. Comment: How does DoD propose to address the cumulative impacts from carbon dioxide?
K-055-409	5 RG 5 AB	8	Below Tbl. 5.2-5.	Statement: The DEIS states that "The air emissions predicted for Alternatives 1, 2 and 3 associated with construction and operation activities required for the relocation of the Army AMDTF to Guam are all well below the significance criterion of 250 TPY." Comment: If DoD is predicting that the air emissions are well below the significance..., then we must assume that DoD is not quite sure of its affect. DoD should provide supporting documents to validate the above statement. In addition, how does DoD plan to address the above statement should the prediction is inaccurate.
K-055-410	5 RG 6 AB	3	8 & 9	Preferred Alternative 1 for Headquarters/Housing references: "This alternative is compatible with Marine Corps Alternatives 1 and 8 (refer to Volume 2)". Comment: In reviewing Volume 2 as referenced above, statement made on Volume 5 does not concur with what appears on Figure 2.1-2 of volume 2...which identifies it as Alternative 2, not 1 and 8.
K-055-411	5 RG 9	1	22 & 23	The Draft EIS states within the Methodology that conducting recreational resource impact analyses are somewhat limited since the Government of Guam, Department of Parks and Recreation does not collect visitor data for its recreational facilities. Comment: DoD should contact the Guam Department of Parks and Recreation (DPR) to ascertain the visitor data. From coordinations with DPR's recreation division, they have provided visitor data in the past on user count, user conflicts etc.
K-055-412	5 RG			General Comment: It is difficult to accurately review the DEIS when the document keeps citing "Refer to Volume so and so". It takes up a lot of time in having to go back to a specific volume resulting in loss of concentration. The DEIS in my opinion could have been prepared better and easier to understand. Not a user friendly document, too technical at times.

prior to the completion of the DEIS. It was included in the DEIS as Appendix F in Volume 9. The final SIAS was also appended to the FEIS.

**K-055-223**

Thank you for your comment. The DoD has identified several potential beneficial reuse projects, including using the dredged material for berms for firing ranges. This description is included in Volume 4, Section 2.3.5.

**K-055-224**

Thank you for your comment. The Navy will practice avoidance measures, which include precautions for avoiding harm to marine life while performing shore landings. Volume 7 of the FEIS includes detailed information on BMPs and specific measures to avoid special-status species.

**K-055-225**

Thank you for your comment. Descriptions of potential beneficial reuse projects, including using dredged material for firing range berms, is already included in the EIS in Section 2.5.1.2. The description also includes an estimated quantity. While preliminary sediment testing has been conducted, additional testing will be conducted and the quality of the material determined during the final design and permitting phase.

**K-055-226**

Thank you for your comment. As described in the EIS, the 100-year storm event will be used as the basis for design.

**K-055-227**

Thank you for your comment. Your reference is to upland placement sites for dredged material from the proposed projects. There are existing placement sites with dredged material from past projects. It is probable

K-055-413				<p>3.2.1.1 <i>Applicable Regulatory Standards:</i> "The United States (U.S.) Environmental Protection Agency (USEPA) Region 9 gives the Guam Environmental Protection Agency (GEPA) the authority to enforce portions of federal statutes via a Memorandum of Agreement."</p> <p>Comment: Guam's procedures for federal consistency respond to the requirements of the Coastal Zone Management Act (CZMA) of 1972. Pursuant to the CZMA of 1972 (P.L. 92-583) as amended (P.L. 94-370), the Bureau of Statistics and Plans(BSP), as the lead agency of the Guam Coastal Management Program (GCMP), is responsible for conducting federal consistency review for 1) Federal Activities; 2) Activities Requiring a Federal License or Permit; and 3) Federal Assistance to Local Governments. Federal activities state the following: "Any federal agency proposing to conduct or support an activity which will directly affect Guam's coastal zone is required to do so in a manner consistent with the Coastal Management Program to the maximum extent practicable. (Subsection 307(c)(1), National CZM Act). A federal agency activity is any function performed by or on behalf of a Federal agency in the exercise of its statutory responsibilities. (15 Code of Federal Regulations, Section 930.31). Since this definition encompasses an extremely broad range of Federal actions, early consultation with the BSP is recommended to resolve any questions regarding the application of the Federal consistency review process to a specific type of activity." Consequently, the GCMP Federal Consistency review must be included as an applicable regulatory standard.</p>
K-055-414			3-30 32.1.1	<p>Construction: "Soil types that could be disturbed would not be agriculturally productive soils. Soil erosion is primarily a concern for discharge into surface or nearshore waters that are not located near the proposed construction. Construction SOPs would be followed to prevent soil erosion. Therefore, Alternative 1 would not result in significant impacts to geologic resources or result in significant soil erosion or loss of agriculturally productive soil."</p> <p>COMMENT: Andersen AFB is located above Guam's main aquifer, which provides potable water to over 80% of the entire island population. Because the coastal limestone is extremely permeable in the north, rainfall quickly soaks into the ground and recharges three main aquifer areas. Therefore, any construction activity will generate an impact – small or great. Regardless of the types of soils identified for each proposed site, exposed soils will lead to erosion; and the primary concern is that pollutants will infiltrate Guam's fresh water aquifer. Implement best management practices (BMPs) and low impact development (LID) techniques. As stated in the CNMI Guam Stormwater Management Manual, "along with development comes an increased amount of impervious surfaces.</p>
K-055-415			3-31 32.2.3	<p>While "the soil types that could be disturbed would not be agriculturally productive soils," these proposed projects to construct a Military Working Dog Kennel and a medical clinic clearly is not an agricultural activity. Again, any construction activity will generate an impact – small or great. Regardless of the types of soils identified for each proposed site, exposed soils will lead to erosion; and the primary concern is that pollutants will infiltrate Guam's water sources. Therefore, the construction of a military working dog kennel and a medical clinic <b>is an impact</b> to Guam's natural resources including nearshore waters.</p>

that some of this past dredged material, now dry, would be suitable for use in creating berms for future placement locations.

**K-055-228**

Thank you for your comment. Wastewater from South Finegayan will be conveyed to NDWWTP via an independent relief sewer. The relief sewer connects to NDWWTP ' directly so there will be no impact to existing GWA sewer or pump station(s). There is no agreement between DoD and GWA for operating and maintaing NDWWTP or GWA's collection system. It is GWA's responsibility. However, DoD has committed to arrange 3rd party funding via a special private entity to fund the necessary upgrades to the primary treatment capabilities at NDWWTP.

**K-055-229**

Thank you for your comment. De-salination is presented as one potential long-term alternative if one is required. Long-term utility alternatives are presented only at a programmatic level, not at the project specific level. Long-term utility alternatives will not be covered by the record of decision to this EIS, but be subject to future NEPA review and approval. At that time, details such as point of discharge of waste brine produced from the reverse osmosis process would be proposed.

**K-055-230**

Thank you for your comment. The stand alone new DoD secondary treatment plant and outfall is only a potential long-term alternative and presented only at a programmatic level, not a project specific level. This alternative would not be part of the record of decision of this EIS. Future NEPA review and approval would be required should this alternative be pursued. At that time, project specific details would be examined and reviewed.

<b>K-055-415</b>	2	3	9-43	3.2.2.5	<i>Construction Impacts:</i> "Soil types that could be disturbed would not be agriculturally productive soils. Soil erosion is primarily a concern for discharge into surface or nearshore waters that are not located near the proposed construction, except for at Apra Harbor, where BMPs would be used to prevent significant soil erosion." COMMENT: Implement best management practices (BMPs) and low impact development (LID) techniques to control runoff from impervious surfaces and prevent pollutants from entering Guam's waters – ground and surface. Some BMPs and LID practices include the use of permeable pavers for driveways and parking lots, installation of rain gardens or bioretention areas, vegetated swales, buffers and strips, and tree preservation to name a few. As stated in the CNMI Guam Stormwater Management Manual, "along with development comes an increased amount of impervious surfaces, precluding the natural infiltration of rainwater into the underlying groundwater system. As a result, the groundwater "lens" (which serves as the principle drinking water source) is depleted. Or, in the instances where stormwater is infiltrated without adequate pre-treatment, groundwater quality is degraded." The construction activities and military trainings proposed in Alternative 1 will clearly generate erosion and runoff. Any construction activity will generate impacts, minimal or significant. BMPs should not only be implemented at Apra Harbor; it must be applied to any and all construction activities regardless of the level of impact. Once more, the primary concern is that pollutants will infiltrate Guam's water sources. Therefore, Alternative 1 will result in impacts – minimal or significant, to Guam's natural resources including the aquifer and nearshore waters.
<b>K-055-416</b>	2	2	30	1	earlier in the document, it was stated that 29% of the overlay refuge would be developed for alternative no. 1, here it states 25%., What is the percentage?
	2	2	33	1	earlier in the document, it was stated that 53% of the overlay refuge would be developed for alternative no. 2, here it states 41%., What is the percentage?
	2	2	33	15	earlier in the document, it was stated that 53% of the overlay refuge would be developed for alternative no. 3, here it states 41%., What is the percentage?
	2	2	33	38	earlier in the document, it was stated that 29% of the overlay refuge would be developed for alternative no. 8, here it states 24%., What is the percentage?
<b>K-055-417</b>	2	46		6	with regard to the decontamination training, what are the types of simulated chemicals to be used? Are these simulated chemicals hazardous to the environment? If water is involved, where will the water flow and how will it be treated?
<b>K-055-418</b>	2	50	line 5, table 2.3	2	the terrain flights at its lowest which is 50 feet above ground level should have some effects to animals or people in its path especially if this is to be done day and night
<b>K-055-419</b>	2	52		10	will the proposed landing zones at andersen south and naval magazine have an effect on any flora and fauna?

**K-055-231**

Thank you for your comment. This information has been added to Table 2.1-1. Furthermore, as described in the EIS, the project would also incorporate published guidance documents including but not limited to the Clean Water Action Plan, Protection and Restoring Guam's Waters, and the Northern Watershed Restoration Strategy.

**K-055-232**

Thank you for the comment. As described in the EIS, the project design would avoid impacting wetlands. Proposed project actions would include design elements and BMPs to mimic existing hydrology and avoid impacting wetlands and/or mangrove areas.

**K-055-233**

Thank you for your comment. The Final EIS includes an updated analysis and description of potential impacts. In addition, the Final EIS includes a description of the potential type, use, and effectiveness of site- and activity-specific BMPs and LID measures that would reduce the potential for impacts to water resources.

**K-055-234**

Thank you for your comment. Section 4.1.1.4 of Volume 2 contains a revised definition for nearshore waters.

**K-055-235**

Thank you for your comment. The Final EIS reflects this comment.

**K-055-236**

Thank you for your comment.

K-055-420	2	61	16	what happens if good fridays falls within the times the military are in training? Can this day be put into consideration in the schedule so they work around the annual event?
K-055-421	2	61	25	alternative b requires no improvements to the trail. As is, the trail already has erosion problems. would this situation become worse?
K-055-422	2	61	34	instead of may be amenable to adaptative management strategies, it should be more positive that it will be done.
K-055-423	2	82		why was the west coast option completely dismissed as an alternative?
K-055-424	2	64	table 2.3-4	what exactly is meant by incompatible with future mission?
K-055-425	2	74	28	will stormwater management be implemented throughout the length of the alignment?
K-055-426	2	82	2	The locac uses lift fans to create a cushion of air between the hull and the water surface or hard substrate such as coral. A lot of the substrate if not all would consist of corals.
K-055-427	8	5	41	federal submerged lands overlap with the sasa bay and piti bomb holes marine preserves. the federal government does not acknowledge that federal submerged lands can be designated govguam marine preserve and is not bound to comply with land use constraints associated with the preserves. is this true? does this apply the other way too?
K-055-428	8	7	13	where are these specific geographic areas for the additional training facilities?
K-055-429	8	7	48	why isn't guam included in the marianas trench marine national monument?
K-055-430	8	9	23	was the dos amantes planning area adopted by the legislature?
K-055-431	8	13	32	this sentence appears twice.
K-055-432	8	13	37	should the source of the north and central guam land use plan be the bureau of statistics and plans 2009 instead of the bureau of labor and statistics 2009?
K-055-433	8	14	1	there are farmland activities on govguam federal and private lands that do not necessarily correspond to land use planning maps and usda prime and important farmland designations. this sentence seems to be repeated from the previous page. is this an error?
K-055-434	8	13-33		it seems like this section is trying to show the contradictions of the north and central guam land use plan's designations of agricultural lands to other plans such as the usda prime lands designations. Throughout these pages, it seems to mention how what is identified as prime agricultural lands. ie. "the north and central land use plan (bureau of statistics and plans 2009) does not designate agricultural land uses in the important farmlands area."
K-055-435	8	31	1	(bureau of figuresstatistics ans plans 2009) should read (bureau of statistics and plans 2009)
K-055-436	8	33	10	why isn't route 4 included for improvements when it was mentioned earlier that the new land fill will be used. to get to the landfill, route 4 needs to be accessed.

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#### K-055-237

Thank you for your comment. Figure 4.1.5 depicts the NGLA subbasin locations.

#### K-055-238

Thank you for your comments. Information reflecting these comments is in Section 4.1.4.1, Nearshore Waters.

#### K-055-239

Thank you for your comment. The Final EIS has been updated to clarify the ODMS language.

#### K-055-240

Thank you for your fill comment. Information has been added to Section 4.1.4.1 and Figure 4.1-27 of the EIS to reflect this comment.

#### K-055-241

Thank you for your comment. The EIS reflects the correct unit conversions (7,050 acre feet/8,696,000 cubic meters).

#### K-055-242

Thank you for your comment. The EIS reflects an analysis of the potential for direct and indirect impacts to occur during construction and operations.

#### K-055-243

Thank you for your comment. The EIS analysis has been updated to reflect this comment.

#### K-055-244

Thank you for your comment. The EIS includes a discussion on

<del>K-055-437</del>	3	38	11	route 10 runs north and south, connecting routes 4,18, and 8.' perhaps route 18 should be 15, because route 18 is in the municipality of santa rita.	
<del>K-055-438</del>	2	6	1-62	"noise can have deleterious effects on physical and psychological health, affect workplace productivity, and degrade quality of life" according to this chapter, there will be no significant impacts in any of the alternatives. was post traumatic disorder taken into consideration? guam has a high rate of people that joined the military. the increase of air traffic and the noise they will generate might have an effect on people with this illness. furthermore, how can one measure that a certain noise level is insignificant. it may not be to some but may have adverse affects on others.	
<del>K-055-439</del>	2	2	2-2	2.1	Why is it that live fires and pyrotechnics which may have detrimental impacts on the existing munitions in the area being allowed or proposed? Previous review of ISR & Military training on Guam rules out live artillery training on Guam, and states that the former Andersen south Housing area should be used for training with blank ammunition only.does not allow live fire on Guam? Although there will be a fire management plan accidents may still happen to cause bombs to explode. Why not continue live-fire training in the Faralon de Medinilla?
<del>K-055-440</del>	2	2-13	2nd para	Military must research further the availability of Federal/Military land before acquiring real property by purchase or lease, to maximize the use of existing DoD land instead of acquiring non-DOD land.	
<del>K-055-441</del>	2	Page 2-15	2.1-3	Prior to including Route 15 private lands, private landowners consent must be secured/consulted first to avoid any animosity.	
<del>K-055-442</del>	2	Page 2-45	2.3.1.4	The Guam Legislature has passed a resolution that no eminent domain would be enforced for land acquisition. Will this DEIS address this change? What alternative will be used to address this issue?	
<del>K-055-443</del>	3	Page 2-67	2.3-12	If in-fact the existing airspace does not encumber the Island's populated , it is sensible that additional SUA is needed over Guam since accidents usually happens.	
<del>K-055-444</del>	3	Page 2-61	2.3.2.5	Live-Fire would impact the size of the Surface Danger Zone, although will be fenced can extend well beyond, above, and to the side of the targets. Announcements in the Federal Register may be ineffective since not everybody has access to computers to read Federal Register.	
<del>K-055-445</del>	3	Page 2-61	2.3.2.4	Having live-fire on non-federal lands (public/private) may have adverse effect to the people of Guam, may need to be mitigated for impairing the use of the land. Must follow CZMA Federal Consistency review requirement.	
<del>K-055-446</del>	3	Page 2-66		In case land acquisition of public land does not materialized, Military land must be used.	
<del>K-055-447</del>	4		4.1.1.2	Page4-1 should also discuss how the surface runoff could cause erosions.	
<del>K-055-448</del>	4			Section 319 (Guam Non-Point Source Pollution program to listing of Guam Regulations should be added	

potential beneficial reuse options, as does Volume 9, Appendix D. The discussion addresses the priority to utilize dredged material (DM) for beneficial purpose including such uses as landfill cover, road base, backfill, beach re-nourishment if suitable, etc. Beneficial reuse is preferred and would be examined on a case-by-case basis. Receiver of DM would need to be responsible for disposal or reuse of DM. The upland placement study examined several opportunities for beneficial reuse of DM to include use of DM as landfill cover and to support Port Authority of Guam projects. The cumulative impacts analysis (Volume 7, Chapter 4) has been expanded to address climate change adaptations.

### K-055-245

Thank you for your comment. The DoD shares your concern for the northern Guam lens aquifer and intends to carefully access these groundwater supplies. Up to 22 new water supply wells are proposed to provide additional capacity for the DoD water system. These wells would be installed in Northern Guam and extract potable water from the northern Guam lens aquifer. Operations at Fena Reservoir would not be modified at this time. The estimated sustainable yield from the northern Guam lens aquifer is approximately 80 million gallons per day. Sustainable yield means the amount of potable water that can continuously be withdrawn from the aquifer without degrading water quality or the production of the extraction wells. The estimated total average daily water demand from this aquifer is 63 million gallons per day at the peak of construction of the proposed DoD buildup, including civilian demand. Thus there should be an adequate supply of potable water. DoD and Guam Waterworks Authority plan to jointly manage the extraction of water. Also, DoD is an advocate for grants and low cost loans to Guam Waterworks Authority so they can improve their distribution system and reduce water loss due to leaks. Monitoring would be conducted during well operation. If production or water quality declines over time, DoD would take appropriate response actions.

<del>K-055-449</del>	8			Recreational sites must be opened for use for both the Military and citizens of Guam, specially for Chamorros.
<del>K-055-450</del>	8	8-4		This section, as well as other sections of this DEIS should include/mention the CZMA/Federal Consistency review requirement, provided under 15 CFR Part 930.
	2	8	8-4	First paragraph: Add Federal Consistency requirements applies when any federal activity, regardless of location, affects any land or water use or natural resource of the coastal zone. No federal agency activities are categorically exempt from his requirement.* 930.33
<del>K-055-451</del>	2	8	8-1	Chap 8 Land and Submerged Land Use must be corrected to indicate that Aside from the 3 nautical miles approved jurisdiction of GCMR, by Presidential Proclamation 5030 of March 10, 1983, Guam Public Law 15-114 proclaimed, for Guam, Jurisdictional Rights over the waters surrounding the 200-mile Exclusive Economic zone and redefined jurisdictional control including pollution control, and terms of all scientific research, management, exploration and exploitation of all ocean resources and all sources of energy and prevention within and outside the zone that poses a threat within the zone, E.O. 88-29 designated the (Bureau of Planning BSP as the lead agency for EEZ matters for Guam.
<del>K-055-452</del>	8	8-5		Marine Protected Areas. The DEIS indicated "The federal government does not acknowledge that the federal submerged lands can be designated GovGuam marine preserves and is not bound to comply with land use constraints associated with the preserves." This statement is debatable and should be addressed by the Atty. General.
<del>K-055-453</del>	2	8	8-12	Land use info in the DEIS is based on the proposed Land Use Plan 2009 which was not yet officially approved by the Legislature.)The DEIS recognized that the 1966 land use plan for Guam, however we are unsure if DoD/Navy can reasonably speculate on preliminary proposals that are still under development and that may not presently be capable of meaningful analysis. Will the DEIS be changed if in case the proposed new land use plan is disapproved?
<del>K-055-454</del>	18	18-2	18.1.2.1.	AAFB Constraints on community, APZ at either end of the runway extends into civilian land uses is incompatible with land use within the APZ. How can this situation be mitigated, when the structures and other development were already existing previous to the APZ? Should the Flight path be redirected where to ward unpopulated areas?
<del>K-055-455</del>	9			Recreational sites must be opened for use for both the Military and citizens of Guam, specially for Chamorros.
<del>K-055-456</del>	9			Need to mitigate the proposed closing of access to cultural sites to local chamorros and citizens
<del>K-055-457</del>	10			Impacts of climate change, sea level rise to the sole source aquifer on Guam must be should be discussed/addressed
<del>K-055-458</del>	12			Mitigation for possible impact of increased Military activity on access and cultural resources should be addressed/discussed most especially the proposed target range.
<del>K-055-459</del>	18	18-1	18.1.2.1	DEIS indicated "Designation of safety zones around airfields and restriction of incompatible land uses reduces the public's exposure to safety hazards." However, what can be done to mitigate impacts to already existing developments?
<del>K-055-460</del>	18	19	19.2.2.7	How to resolve traffic impact to community must be discussed in the Final EIS.

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#### K-055-246

Thank you for your comment. To control the size of the document, if impact analysis is similar to previous analysis, the reader is referred to the more involved section for a detailed discussion of impacts. Volume 1 and Volume 2 identify specific BMPs, applicable regulations, and how the actions would be carried out in accordance with them. Site- and action-specific BMPs would be applied at each site, as applicable, from the list of available BMPs as identified in Volume 1 and listed in Volume 7, Chapter 2.

#### K-055-247

Thank you for your comment. Coral impact methodology and impacts are discussed in detail in Chapter 11, Marine Biological Resources.

#### K-055-248

Thank you for your comment. The cumulative impact analysis in Volume 7, Chapter 4 has been expanded in response to public and agency comments, including the addition of climate change and adaptation analysis.

#### K-055-249

Thank you for your comment. The DoD shares your concern for the northern Guam lens aquifer and intends to carefully access these groundwater supplies. Up to 22 new water supply wells are proposed to provide additional capacity for the DoD water system. These wells would be installed in Northern Guam and extract potable water from the northern Guam lens aquifer. Operations at Fena Reservoir would not be modified at this time. The estimated sustainable yield from the northern Guam lens aquifer is estimated at approximately 80 million gallons per day. Sustainable yield means the amount of potable water that can continuously be withdrawn from the aquifer without degrading water quality or the production of the extraction wells. The estimated total

Comments			
Comment ID	Page	Section	Response
<del>K-055-461</del>	19		Impeding use of Guam's right to fish on land adjacent to land proposed to be leased must be mitigated.
<del>K-055-462</del>	2	2.1	2.1-1
<del>K-055-463</del>	2	2-5	2-1-1
<del>K-055-464</del>	2	3-6	3.1-1
<del>K-055-465</del>	2	5	2.2-1
<del>K-055-466</del>	5	6	5.10.2

average daily water demand from this aquifer is 63 million gallons per day at the peak of construction of the proposed DoD relocation, including civilian demand. Thus there should be an adequate supply of potable water. DoD and Guam Waterworks Authority plan to jointly manage the extraction of water. Also DoD is an advocate for grants and low cost loans to Guam Waterworks Authority so they can improve their distribution system and reduce water loss due to leaks. Monitoring would be conducted during well operation. If production or water quality declines over time, DoD would take appropriate response actions.

**K-055-250**

Thank you for your comment. As described in the EIS, there is a very low probability that an expended projectile would fall outside of the range footprint, within the SDZ. There would be an even lower probability for an expended projectile to fall within the nearshore water portion of the SDZ. Due to the small number of potential projectiles that could fall into the nearshore SDZ and the relatively small size of the projectile, the potential impacts to nearshore water quality from these projectiles would be negligible.

**K-055-251**

Thank you for your comment. Edits have been made to the FEIS.

**K-055-252**

Thank you for your comment. As documented in this EIS, DoD acknowledges the existing sub-standard conditions of key public infrastructure systems and social services on Guam and the interest to have DoD fund improvements to these systems and services. DoD's ability to fund actions is limited by Federal law. However, to minimize adverse impacts associated with the proposed military relocation program, DoD is leading a federal inter-agency effort to identify other

K-055-467	1	Table 3.1.2	land use	Land area at Haputo and Sharks Hole. Aren't there still squatters living there with military's knowledge?			
K-055-468	Vol. 2		quality of life	Quality of life amenities are designed to segregate the communities (civilian/military). Federally funded activities should not unfairly compete with civilian activities. Military operations, by their nature, deny the civilian population the use of their own cultural and recreational resources (Fena Massecre Site) - by denying the community the right to the economic benefits that in small part may compensate, in an American setting, is troubling.			
K-055-469	Vol. 2	32	3.2.7	impacts	the idea that the military, their family and guests should not have to compete with civilians for recreational usage is an affront to the people who's lands and homes and culture have been most affected by federal actions. The idea that it is alright for civilians and tourists to compete for water use or beach use or hiking trails or cultural resources, but the families of military should not have to, is reminiscent of the policies of "separate but equal" of the past. The result of this policy would be that the military, their families and guests would have access to ALL recreational/cultural facilities on Guam while the resident population would only have access to some.		
K-055-470	Vol. 2	19	14	10.3.1.3	Guam Rail	"Guam Rail only exists in captivity"	What happened to the area at NWF that was cleared of snakes and deer and given over to the Guam Rail? Why has area 50 fallen into disrepair? (page 22, para. 3)
K-055-471	Vol. 2	19	20		Fire Tree	would be a major impact.	Why? It is not so difficult to research whether these saplings survived.
	Vol. 2	19		general	monitor	there is no discussion of the introduced monitor lizard. They have historically been found in forests at Haputo and other areas around Guam (both DOD and non-DOD lands). The same applies to Guam Blind Snake.	
	Vol. 2	19		general	DOT	While this report states that there is no green sea turtle nesting at the site designated for the live-fire ranges, there are nesting areas north of that area. What are the impacts of 20 lb. explosions on turtle nesting? Is this an activity that should be curtailed during nesting periods as a form of mitigation?	

Federal programs and funding sources that could benefit the people of Guam.

**K-055-253**

Thank you for your comment. Regarding whether there are enough resources on Guam to handle significant increase in the disposal of hazardous substances, a parallel Draft Joint Military Master Plan Document dated 28 January 2010 provides specific details several new facilities (e.g., operations and maintenance facilities, bilge and oily wastewater pump station, fuel storage areas, POL storage areas, warehousing facilities, munitions magazine storage facilities, hazardous waste storage facilities, waste storage facilities, Hazmat storage, etc.). These new facilities will be required to store, handle, and dispose of the estimated increases in hazardous substances that would occur from the potential DoD unit transfers to Guam. This Master Plan is currently not available for public distribution, but rather is currently for "official use only". However, at a later point in time, this Master Plan will be released for review and specific information regarding new facilities for the handling of hazardous substances will be available.

**K-055-254**

Thank you for your comment. The referenced locations have been labeled.

**K-055-255**

Thank you for your comment. The DEIS describes the intensive selection process that the DoD went through to select alternatives for the location of the firing range on Guam in Section 2.3.2.5. There would be a significant amount of excavation required to create the range topographic profile and to re-construct the steep access road to the range on Anderson AFB. In addition to the potential erosion control issues associated with the extensive grading, cultural and natural

K-055-472	Vol. 2 Dist. 7	82		crabs	aren't mangrove crabs also found in the Apra area, in addition to hermit crabs and coconut crabs?		
K-055-473	Vol. 2	3	11	10.2.2.1	veg	I am confused by this section. It lists secondary limestone forest to be disturbed, with <i>Ochrosia mariannensis</i> ; <i>Vitex Parviflora</i> , or <i>Vitex sparsa</i> canopy. These are all listed as introduced weeds in other studies, and are therefore not native species. Yet the report, at this point, states that their removal would result in a significant impact.	
K-055-474	Vol. 2	3	103	nat para.	para	All pets brought into Guam should be spayed or neutered. This would lessen their impact should they become feral, and would help reduce the number of pups or kittens that are dumped.	
K-055-475	general note				invasive.	a significant amount of negative impact on the environment is caused because of lack of knowledge. A one day class on Guam's environment for all in-coming military personnel and their dependents would go a long way in lessening the impacts. DOD and GovGuam could also produce simple brochures on the do's and don'ts for reef fields, forests, and beaches.	
K-055-476	Vol. 2	3	140	4th para.	ERAs	Ecological Reserve Areas, if they are to be created or expanded, should include significant management partnerships between DOD and GovGuam (DAWR). All of Guam's environment is a single environment and best management comes from treating it as such.	
K-055-477	Vol. 2	3	140	para. 7.5.8.5	turtles	proposed study should include participation by DAWR, as they have responsibilities in research, monitoring and enforcement for sea turtles.	
K-055-478						these appear to be positive measures and should be pursued.	
K-055-479	Vol. 2	3	141	2nd para.	mitigation	additional damages are deliberate, such as dynamite fishing, chlorine fishing, destruction of corals in harvesting gastropods or some fishes, deliberate taking of corals and live rock for aquarium use. These activities have been undertaken by all segments of the community, including military personnel. Education is the key to mitigation.	
K-055-480	Vol. 2	3	9	5th para.	corals	This paragraph states that Hawksbill turtles are in high concentrations in Sasa Bay elsewhere, throughout these documents - the dearth of Hawksbills has been touted.	
K-055-481	Vol. 2	3	45	2nd para.	turtles	The methodology for this must be described. Clean up by hand? By dredge?	
				54	2nd para.	mitigation	...and periodic benthic clean-up...."

resource sites would be impacted. None of the existing ranges could accommodate the size of the ranges and associated SDZs.

**K-055-256**

Thank you for your comment. The U.S. affiliated Pacific islands/island groups include: Hawaii, Guam, Northern Marianas, Yap, Palau, Chuuk, Pohnpei, Marshall, Kosrae, and American Samoa.

**K-055-257**

Thank you for your comment. Please see Section 4.3.1.4 of the Socioeconomic Impact Assessment study (Appendix F of the DEIS) for information on expected impacts on standard of living. The data in this section were derived in the economic modeling process for this EIS.

**K-055-258**

Thank you for your comment. Text has been added to address the requirements of Public Law 29-26.

**K-055-259**

Thank you for your comment. There are many reasons why the Marines (about half) are being moved from Okinawa. This discussion is provided in section 3.5.2 of the Socioeconomic Impact Assessment Study (SIAS) that is in Appendix F, Volume 9 of the Draft EIS. Serious crimes by military personnel in Okinawa are committed at a lower rate than the overall civilian population in Okinawa, despite reports to the contrary. Many serious crimes are based on singular incidents that are reported multiple times so that it appears to be multiple incidents.

The impacts of crimes on Guam are discussed in Volume 2 of the FEIS. As noted in the SIAS: "A critical distinction when analyzing crime impacts is between the total numbers of crimes ("volume of crime") and the actual crime rate (numbers divided by population). Population increases

K-055-482	Vol. 2	2	58	Fish para.	video/visit	*(A short video and access pass before entry).*	While this should be employed, as it is at Hanauma Bay in Hawaii, that experience has shown that education is only part of the answer, another part being limitations to access. Haputo is a relatively small and confined area, and an excess of users would bring harm no matter what the level of their "education" is. Strict limits on the daily usage of Haputo should be considered. Perhaps even a "reservation" system may be necessary in order to protect the resources.
K-055-483	Vol. 2	2	76	Table 13.2-4	Impacts		Table recognizes the summer coral spawning, but report states later that no significant long term impacts of dredging will occur, though the only mitigation to dredging mentioned to this point has been silt screens. Mitigation should include complete cessation of activities during coral spawning, and absolute restriction on lighting of dredge or dredging area during night at those periods.
K-055-484	General note				Infrastructure		what are current capacities available for sewer, water in those areas where DOD development is proposed (particularly Marine cantonment area)
K-055-485	Vol. 2	3			access		where practicable, compensation for increased activity by DOD, and increased impacts on cultural resources, increased access to the more important cultural sites should be developed (Fena Massacre Site, etc.) There would be a large, negative public impact on development of the Route 15 firing range(s), in that all access to historic or cultural sites that currently exists in that area would be lost.
K-055-486	Vol. 2	3	65	Table 13.2-4	mitigation		why don't options 2 and 8 include cultural resource education of Marines (and their dependents)?
K-055-487	Vol. 2	3			comparison		It would appear that preferred option 2 would result in most serious impacts on cultural and historic resources.
K-055-488	Vol. 2	3	68	Figure 13.2-4	Visual		planting of tall shrubs or low growing trees inside the fence line would help to improve the visual quality and would benefit both drivers and personnel in the housing.  this note applies to all alternatives

always bring with them increases in the volume of crime, but the crime rate would increase only if new populations are disproportionately likely to commit crimes."

The DoD acknowledges that any increase in population, such as the one that these proposed actions would cause, may be accompanied by a proportionate increase in crime and social disorder. The DoD also acknowledges that widely publicized instances of military crime in Okinawa cause Guam residents to be concerned about possible repercussions on the island brought about by the increase in military population on Guam. The increase in population during the construction phase of the build up is recognized as a time for concern for increases in incidents of crime. Moreover, it is also acknowledged that the age group of many military personnel is often characterized as prone to conflicts and misbehavior. DoD educates its service men and woman on good behavior and will act promptly and rigorously to curtail any misconduct and enforce laws to protect the citizens of Guam and our military personnel.

**K-055-260**

Thank you for your comment. It is noted that the EIS process provides information on environmental impacts (this includes the human environment); however, there is a limit to the specific details of the impacts because the information used is based on the continuation of existing trends and behaviors. The EIS process along with the comments received provide information to the decision makers on the anticipated impacts of the proposed action. It is also noted that the Socioeconomic Impact Assessment Study (SIAS) discussed an unconstrained (maximal) scenario and a constrained scenario. The two scenarios represent a range of impacts that could occur should the proposed project be implemented under the current schedule. The SIAS is provided as Appendix F, Volume 9 of the DEIS.

Public comments on the Draft EIS are an important part of the decision-

				CMT			
K-055-488		79	13.2.9	visual	again, landscape screening would mitigate the poor visual quality.		this note applies to all alternatives
K-055-489					"If the maximum annual number of vessels that would visit the harbor during the embarkation period exceeds the annual maximum since 1995, then a significant impact to marine transportation may occur. If the maximum annual number of vessels that would visit the harbor during the embarkation period is equal to or less than the annual maximum number of vessels since 1995, then there would be a less than significant impact to marine transportation."		This seems to be assuming that the number of vessels in 1995 produced no significant impacts to marine transportation, simply because those numbers occurred that year. There should be something to back up this assumption.
K-055-490	Vol. 2	4	14.2.1.2				
K-055-491	Vol. 2	3	14.2.2.4	impacts	Utilizing only the numbers of current visits plus the visits barge visits to address impacts is disingenuous at best, as it is anticipated that dredging for other Navy purposes (Carrier berthing and associated needs) would be occurring at the same time. Any assumptions about impacts must be based on maximum anticipated activities, not on individual activities in a vacuum. Cumulative impacts, in this case, would be the impacts from separate but simultaneous activities.		
K-055-492	Vol. 2	1	14.2.2.6	ship calls			Do these figures include the additional container arrivals based on the normal non-DOD related shipping needs of families and marines for private needs?
K-055-493	Vol. 2	31	15.1.6.1	Okinawa	the problems encountered on Okinawa will all reappear on Guam. The impacts that have been expressed by Okinawans after more than sixty years of occupation by U.S. forces would indicate that the DOD has NOT found adequate answers for them, and those same problems will likely just be transported to Guam - including erosion onto reefs, prostitution, constraints on other development avenues, etc.		
K-055-493	General	1		population	the change in ethnic make-up of the population on Guam will have consequences on voting patterns, which have over the years allowed the native population (Chamorros) to retain a political majority on their own island. While not all military/families/non-DOD workers register to vote on Guam, it is possible that a significant number will, with a probable result of reducing Chamorro's in the political arena to a minority role in their own homeland. This would have social consequences far beyond the election process.		

making process. This information becomes part of the Final EIS and is evaluated when DoD prepares the Final EIS and issues a Record of Decision at the end of the National Environmental Policy Act (NEPA) process.

**K-055-261**

Thank you for your comment. Additional language to address pesticide issues related to pre and post construction, etc. has been added to the document.

**K-055-262**

Thank you for your comment. The Navy is developing a Micronesia Biosecurity Plan (MBP) to address potential invasive species impacts associated with this EIS as well as to provide a plan for a comprehensive regional approach. The MBP will include risk assessments for invasive species throughout Micronesia and procedures to avoid, minimize, and mitigate these risks. The MBP will include recommendations for decreasing or eliminating agricultural pests in potential introduction pathways. The MBP is being developed in conjunction with experts within other Federal agencies including the National Invasive Species Council (NISC), U.S. Department of Agriculture Animal and Plant Health Inspection Service (USDA-APHIS), the US. Geological Survey (USGS), and the Smithsonian Environmental Research Center (SERC). For additional information on the MBP and existing and interim measures for invasive species control, please refer to Volume 2, Chapter 10, Section 10.2.2.6 for terrestrial species and Volume 2, Chapter 11, Section 11.2.2.6 for marine species. Volume 2 Chapter 14 has been updated to include information on projected increased marine traffic associated with both organic growth and increases due to the military buildup.

**K-055-263**

Thank you for your comment. The final EIS has been revised to state

				Comments			
<b>K-055-494</b>	Comments	1		Section 30	What would be the estimated increase in Section 30 funds that would be returned to GovGuam? Would H-2b workers have taxes withheld and would those taxes be part of Section 30 funds, or in some other way returned to Guam?	Partially answered (in general way) on table 16.2-27, page 67, but not completely	
<b>K-055-495</b>	Vol. 2	3	54	Para. 3	employment	While it is true that some new jobs offered would be filled by Guam residents and therefore help to reduce unemployment, it is also true that, historically, DOD personnel and their dependents compete for existing civilian jobs as part time workers, thus decreasing the availability of jobs for local residents. ...there would be no impact from marine based tourism". This section ignores the fact that 8,600 marines and their dependents would also be marine (ocean) based tourists, with a significant amount taking up diving. Coral reefs and underwater man-made objects are fragile and can easily be overwhelmed by even the friendliest of human encounters.	Just like water resources, food resources, job resources - there is a maximum carrying capacity for human interaction with ocean resources.
<b>K-055-496</b>	Vol. 2	3	60	Para. 7	tourism	The necessary increases for FTE's in GovGuam would create a problem in that, after six month, these positions become permanent, yet the need for maximum numbers is for 3-5 years with significantly reduced need thereafter. As a reality, it is very difficult to reduce GovGuam FTEs except through not filling them once they become vacant positions for other reasons.	
<b>K-055-497</b>	Vol. 2	3	50	Table 16.2-53	mitigation	there are some very good mitigation suggestions here and a "cocktail" of them, along with others not iterated, should be included as "musts" in response.	

that sewage from the Vehicle Inspection Facility would gravity flow through a sewer to the Pass & ID Office area. A grinder pump pump station would be installed at the Pass & ID Office area and convey via sewer the combined flow to a sewer manhole at the Entry Control Facility. The ECF sewer manhole would use a gravity flow sewer connecting to the GOVGUAM gravity sewer manhole within Route 9 for conveyance to the NDWWTP. A septic tank/leach field system would not be used.

**K-055-264**

Thank you for your comment. Yes, this is the standard indicated in the comment. Language has been clarified in the FEIS.

**K-055-265**

Thank you for your comment. Bilge oil wastewater would be pretreated then discharged into the WWTP. The biggest additional bilge oil wastewater flow would come from CVN, and this flow has been considered with the capacity of the WWTP. An oil water separator is used for pre-treatment. The flow would be 0.1 MGD. The WWTP has enough capacity to accommodate the additional flows.

**K-055-266**

Thank you for your comment. The design for the washrack would be closed loop, which means there would be no discharge to the environment and no discharge point. The water would be pretreated prior to recycling. Periodically, waste would be collected from the system and it would be discharged into the sanitary sewer.

As mentioned in Volume 2, Section 10.2.2.3 the LCAC/AAV project area is 12 acres, all of which are located within the overlay refuge.

Apra Harbor WWTP is addressed in Volume 6, Chapters 2 and 3 and

K-055-498		Comment		Response	
Vol. 2	86	16.2.2.4	mitigation	In so far as the issues which were raised by Okinawa residents, and addressed in this section, none of the responses given here are adequate. Each section appears to excuse its lack of conclusion and lack of mitigation response on the fact that no studies have shown a problem to exist. Federal cooperation is one factor that could be explored. Immigration and Naturalization Service should be brought more into the process, as prostitutes have regularly been brought into the area as "entertainment workers" under temporary work visas. This should be a signal to INS to enable them to deny entry or to red flag the establishments for which they are being hired. Table 16.1-10 in chapter 16, page 7 of this document supports the need to address the likely rise in both prostitution and increased incidents of STDs resulting from that rise. Similarly, in this section, the idea that the problems associated with conflicts with FAS personnel will sort itself out over time has not proven to be true, as the problems now have been on-going since the compacts have allowed free entry into Guam. This section requires a great deal more work.	
Vol. 2	17	20	para. 5	Haz. Waste	Navy ships produce hazardous waste as a result of TBT losses in port. Reference was made in previous chapters to Tributyltin, but only in passing. Given the history of anti-fouling paints in Navy ports (particularly Pearl Harbor), what is the anticipated load of TBT or any other fouling paint in the submerged lands of either inner or outer Apra Harbor as a result of the added ship calls?
Vol. 2				Haz. Waste	A decade ago, at NCTS (nearby the old MARS station, there were 55 gallon drums stored in the open in a forested area. Those barrels appeared very old and rusted, and they were removed and the concrete pad they were on was cleaned, and then new barrels were put on the pad, with the tangantangan left to grow around the area (it was also fenced). Did these barrels contain any hazardous materials? If so, are they still in place?

takes into account all future wastewater flows into the system due to the proposed waterfront projects, including the USCG facilities. The wastewater flow coming from the aircraft carrier would have a maximum flow of 82,000 gallons per day, that far exceeds the 20 person per day USCG administrative personnel contribution to the system. The aircraft carrier is a visiting ship and there would be considerable excess capacity at the wastewater treatment plant most of the year. Based on the analysis, the wastewater treatment plant has enough capacity to accommodate the additional flows from all proposed projects. The BOWTS is a pretreatment system and would be sized to meet the anticipated volume.

**K-055-267**

Thank you for your comment. The FEIS describes numerous actions that would be taken to protect surface waters from storm water runoff. Construction of new facilities would use LID principles to the extent practical. Site-specific BMPs would be identified and implemented to reduce potential impacts to water resources (See Volume 7, Chapter 2). Construction in potentially contaminated areas would require site-specific health and safety plans, the use of administrative and engineering controls, and other BMPs to ensure that contaminants are not spread and to protect human health and the environment.

**K-055-268**

Thank you for your comment. Noise associated with airlift, airdrop, and landing zone operations are described in Volume 2, Section 6.2 and referred to as Aviation training. Flight paths from Andersen AFB to NWF are included in the noise contours shown on Figure 6.2-1. All other flight paths from Andersen AFB to the other training areas would occur over water. Aviation noise as a result of the USMC Relocation to Guam are such that mitigation is not required. Please refer to Volume 7, Chapter 4 for more details about the cumulative impact analysis.

<b>K-055-501</b>	Vol. 2	1	Table 17.2-1	Max. Waste	Beginning with this table, and extending to all the following tables in this section, it is inadequate to state "No mitigation measures are identified". At the very least there should be a statement in these tables that BMPs and site specific plans will be adopted or updated and that mitigation training for response to those plans will be conducted. That is alluded to in text, but the language of these tables brings that into question.
<b>K-055-502</b>	Vol. 2	1	General	Max. Waste	It is impossible to assess the potential impacts of hazardous materials, waste, spillage, etc because of the generality of the information. For example, it was stated in passing (one sentence) that pesticides and herbicides were included. What are these exact products and in what quantity would they be used? With that information suggestions could be made for alternative chemicals, or for a non-chemical replacement.
<b>K-055-503</b>	Vol. 2	2	18.2.2.1	misNap	Class A mishaps have changed since this writing. They are now defined as having at least \$3 million in damages.
<b>K-055-504</b>	Vol. 2	10	18.1.7	UXO	There was UXO deliberately stored at Camel Rock in Asan/Piti area as late as the 1990s. Have those been removed? The presence of such where the community at large is likely to encounter them presents a problem that should be resolved.
<b>K-055-505</b>	Vol. 2	1	18.2.2.3	STDs	Are military personnel punished, or in any way negatively impacted in their career by reporting they have STDs? If so, then they may try to find treatment in the civilian sector, which would impact on medical availability to non-DOD personnel.
<b>K-055-506</b>	Vol. 2	1	18.2.2.5	UXO	Bureau of Plans and Statistics Library had a study on sites where uxu was "dumped" at the end of WWII. If the book is still in the library, it should be studied for impacts on the proposed developments and actions.
<b>K-055-507</b>	Vol. 2	1	18.2.2.7	traffic	The impacts of traffic on Guam public roads, while unavoidable with increased personnel, could be lessened by staggering working hour starts, particularly during construction phase. I.E., one third of day workers start at 6, one third at 7 and one third at 8am.

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### K-055-269

Thank you for your comment. Volume 2, Section 7.0 defines airspace and potential impacts as a result of military operations on Guam. Airways are established routes used by military aircraft, commercial aircraft, and general aviation aircraft. They are the flight paths on which aircraft travel through airspace similar to land highways. Air traffic refers to movements of aircraft through airspace. Safety and security factors dictate that use of airspace and control of air traffic be closely regulated. Accordingly, regulations applicable to all aircraft are promulgated by the FAA to define permissible uses of designated airspace. The FAA also controls the use of airspace. These regulations are intended to accommodate the various categories of aviation, whether military, commercial, or private aviation enthusiasts. The regulatory context for airspace and air traffic varies from highly controlled to uncontrolled within Guam and the CMNI. Less controlled situations include flights under Visual Flight Rules (VFR) or flights outside of U.S. controlled airspace. Examples of highly controlled air traffic situations are flights in the vicinity of airports where aircraft are in critical phases of flight (either take-off or landing) and flights under Instrument Flight Rules (IFR), particularly flights on high or low altitude airways. Special Use Airspace (SUA) is specially designated airspace that is used for a specific purpose and is controlled by the military unit or other organization whose activity established the requirement for the SUA. SUA in and surrounding Guam includes Restricted Areas (RAs) and Warning Areas (WAs). Under the proposed action, existing air traffic control procedures would continue. Some flight activities would be accomplished under VFR conditions and along random routes that would not impact commercial or general aviation flying. Military pilots avoid flying over populated areas as much as possible for safety purposes and in order to minimize overflight complaints.

### K-055-270

Thank you for your comment. The differences between the environmental effects of mechanical and hydraulic dredging are

<b>K-055-508</b>	Vol. 2	16	10	LAND Acq.	Tier 2	Whether or not the private land owners are compensated for the land, will they be compensated for the loss of fishing resources at that site. For low income families on Guam, particularly those that live next to the shoreline, fishing and ocean harvesting make up a substantial part of their diet and, for some, their livelihood. In addition, the same resources (near shore) that are used by many islanders will now be reduced, putting greater burdens on other areas. This should be addressed in compensation/mitigation.	
<b>K-055-509</b>	Vol. 4	2	2	2.3.4.3	caissons		weren't concrete caissons used at Kilo Wharf, and didn't they have a problem there which led to unanticipated destruction of corals?
<b>K-055-510</b>	Vol. 4	2	23	2.3.5.1	dredging	the language here is confusing: "Mechanical dredging is assessed as the environmentally conservative method (maximum adverse impact) of dredging..." Max. impact would not appear to be the environmental conservative choice! If mechanical has the greatest adverse impact, then hydraulic dredging should be the method of choice.	
<b>K-055-511</b>	Vol. 4	2			core samples	It is not only imperative to sample and analyze sediment samples where the dredging is proposed, but it is important to understand the impact the new berthings will have on the environment and therefore sediment samples at Kilo Wharf should also be analyzed in order to plan for and mitigate for the negative environmental impacts that would follow the creation of new carrier berthing facilities.	
<b>K-055-512</b>	Vol. 4	2			Corals		Is it possible for biologists to remove significant corals/prime corals from the dredge area and move them and place (replant) them next to or onto other healthy reefs?
<b>K-055-513</b>	Vol. 4	4	4	para. 4	near shore water	docking activities also impact near shore waters through flaking of anti-fouling paints, corroded materials and other indirect discharges which settle into sediments and may be taken up by biota.	

discussed in Chapter 2, Volume 4 and Appendix D of the EIS. Mechanical dredging involves use of a clamshell or fixed bucket that excavates the dredge sediment from the harbor floor and then carries the sediment in the full bucket through the water column before lifting the bucket out of the water and placing the dredged sediment in a nearby barge or scow. During this movement, a small fraction of the collected sediment will escape from the bucket and create suspended sediment in the lower and higher levels of the water column. On the other hand, a hydraulic dredge works solely on the harbor floor and any suspended sediment will emanate only in the lower portion of water column. As a result, the plume of suspended sediment is generally greater with use of conventional clam shell bucket as compared with a hydraulic dredge. However, use of hydraulic dredging is generally limited to soft bottom sediment on relatively flat surfaces. Mechanical dredging, which has historically been used in Apra Harbor, was chosen as the dredging method for evaluating environmental impacts as it presents the most adverse impact scenario.

A sediment plume is an effect of in-water construction activities. The Navy proposes to minimize sedimentation by using best management practices such as silt curtains and operational controls of dredging equipment. Final mitigation measures for all dredging activities will be determined and agreed upon during the permit phase of the projects.

The Kilo Wharf project and this proposed action occur in very different areas of Apra Harbor. The setting of Kilo Wharf is much more exposed to wind and wave action. The proposed action area is anticipated to be less challenging with regard to our ability to minimize environmental impacts. Chapter 11 of Volume 4 contains a detailed analysis of the anticipated impacts and proposed mitigation for coral resources.

Once a final alternative is selected as part of the NEPA process, a site-specific sediment placement and monitoring plan as part of the

K-055-514	2	2	1	1	Population increase in passengers at GIAA, DEIS does not address military and civilian increase in population on island would affect the airport facilities at A.B. Won Pat International Airport, the additional passenger use at the A. B. Won Pat International will require security infrastructure upgraded to maintain TSA commingling security measures. The segregation of TSA and non-TSA screened passengers under the provisions of 49 USC-44903, required by law, for GIAA to be in compliance must construct a third floor arrivals concourse at an estimated cost of \$56 million. Funding request for the upgrade under evaluation.
K-055-515	6	4	4	4	GIAA Roadway-traffic volumes & congestion at GIAA will increase significantly, and will cause delays in passenger departures & arrivals. Currently, the road system at the Airport is always backed up, at times to one mile. upgrades with the additional lanes at GIAA, traffic flow will improve to decrease congestion.
K-055-516	6	4	4		Public Transportation-DEIS no mention of upgrading public transportation to include high speed monorail to reduce traffic volumes & congestion on the roadways. Monorail that can connect AAFB to Big Navy with stops in Yigo, Dededo, Micronesia Mall, Tamuning, Hagatna, Asan, Piti. With the mass transit buses connecting the Villages to the monorail. Automobile road traffic can be reduced tremendously with such a system in place.
K-055-517	2	2	1		Population Increase-Airlines will increase services, routes, to match increase in activities, additional infrastructure to meet the demand of services. Additional Gates 1-2-3 will facilitate the growth at GIAA. Presently expansion for this growth in the master plan of the Authority.
	2	2	1		Population Increase-Airlines will increase services, in passengers and cargo services. The increase in aircraft activity requires more fuel hydrants to be extended to new apron parking for cargo facilities parking area and servicing of the aircrafts. Funding request for the upgrade under evaluation.
	2	2	1		Population Increase-Cargo Aircraft activities will increase, and additional parking requirement for Cargo Aircrafts will be needed at the new cargo facility, upgrade of additional parking facility.
K-055-518	2	2	3		Training Functions: Noise-Military Jets do not conform to FAA Regulations, in regards to loud engine noise while operating and using GIAA as an alternate landing or flight training. With the airport situated in a high concentration of population, consideration to the community must be closely monitored to reduce operation of military aircraft jet noise, and must be strictly monitored. Note, in the DEIS, GIAA was not mention as alternate landing for the Military. However, in past activities military aircrafts use GIAA for landing, and training.
K-055-519	2	2	3		Transportation-DEIS no mention of a joint military and civilian cooperation between GIAA and the Military in Aviation joint use.
K-055-520					Firefighters training and equipments for military aircrafts emergency landings or normal operations at GIAA.
K-055-521	2	5	3	5	No Mention of Air Quality. Air pollution exhaust emission from military aircrafts will add and increase air emission to the environment when landing and operating at GIAA. An air quality monitor will be required at GIAA to ensure that air quality standards with regards to potential air pollution should be included in DEIS.

advanced engineering for the proposed dredging would be developed. This plan would be submitted to Guam EPA and USACE as part of the permit application process. The potential upland disposal sites as discussed in Chapters 2 and 4, Volume 4 and Volume 9, Appendix D would be available for inspection and verification. As noted in these chapters and Volume 9, it is anticipated that mechanical dredging would be the likely method of dredging in which case no dewatering of the dredged material would be necessary. If it is determined that hydraulic dredging would be used for dredging, then a dewatering plan for the upland site(s) would be developed and submitted to the appropriate regulatory agencies along with other required information for the permit review phase of the project. The monitoring of such dewatering, if it were to occur, would be part of the specific permit conditions.

#### K-055-271

Thank you for your comment. The Final EIS, Chapter 4, Water Resources, indicates that the potential upland disposal sites would be located over aquifers. However, these aquifers are not used for supplying drinking water; thus, any effluent that might percolate into the aquifer would not affect regional groundwater drinking quality or quantities.

#### K-055-272

Thank you for your comment. The species of concern listing by NMFS is a formal designation that includes species that NMFS has some concerns regarding status and threats, but for which insufficient information is available to indicate a need to list the species under the ESA. Guam-listed species include "local" species which have been identified by the legislative authority in the Territory of Guam as special status, even though they are not listed under the ESA.

Volume 9, Marine Species Profiles, does include the marine species identified by GDAWR as Species of Greatest Conservation Need.

<b>K-055-522</b>				Was the Secretary of the Interior's Standards and Guidelines for Federal Agency Historic Preservation Programs applied / referred to / considered in the development of pertinent "Cultural Resources" sections and chapters of the DEIS? Pursuant Section 110 of the National Historic Preservation Act (16 U.S.C. 470)? Section 111? Section 112?	Refer to law and indicate in FEIS that these NHPA sections were considered -- and where appropriate, state if plans, etc. were developed.
				Throughout the DEIS -- determinations were made that historic properties are eligible for the National Register. What happens next to these eligible properties? Will these sites be nominated?	Indicate in the FEIS what is the future project for these historic sites/properties/cultural resources?
				The DEIS fails to recognize historic properties listed on the Guam Register of Historic Places. The Sites listed on the Guam Register are potentially eligible for listing on the National Register.	Acknowledge State/Local government preservation laws and indicate it on the FEIS.
<b>K-055-523</b>				Lacking pertinent definitions, and acronyms relative "cultural resources," NHPA, GRHP, among others. Cultural resources, traditional cultural properties, all other terms pertaining to "historic properties". The use of the term "cultural resources" in the DEIS is not used nor contained in the NHPA, nor in 36 CFR 800 - regulations implementing Section 106 of the NHPA. Consider the term "cultural" as used in the National Register programs "It is understood to mean the traditions, beliefs, practices, lifeways, arts, crafts, and social institutions of any community, be it an Indian tribe, a local ethnic group, or the people of the nation as a whole." It is misleading to define "cultural resources" as ONLY "archaeological, architectural, and traditional cultural properties" - and at the same time use historic sites, elsewhere in the DEIS to mean cultural resources? Do not confuse the reader by interchanging the terms. Adhere to one definition, one term.	Include: ARPA, NHPA, NRHP, SHPO, ACHP, Section 106, NNL, adverse effects, area of potential effect, Guam Register of Historic Places, and other pertinent definitions where appropriate in glossary and acronym chapters. -> Re-define cultural resources in all the glossaries and include "Historic Property" definition as found in 36 CFR 800.16(i)(1), OR use the legal definition and remain consistent throughout the DEIS. I.e., do not interchange terms - adhere to one term. -> Define the EIS "chosen" term in all Volume glossaries. -> Define in glossaries NHPA, and NNL - National Natural Landmarks.
1 of 11	Glossary	All noted issues			
<b>K-055-524</b>				On recreational use. Marines "could provide maintenance up to Hilsan that contain significant natural, cultural, scenic, and recreational resources." Is there a plan on how the site is to be maintained? Why the Marines? Why not contract an entity to maintain and manage all on-base historic properties - as provided for in Section 111(c) (16 U.S.C. 470b-5)(c). Hilsan is listed on the Guam Register of Historic Places, and is eligible for the National Register. G DPR (Guam SHP Office) has been in contact with the Navy since 1999 to nominate Hilsan to the National Register. Navy ignored and discounted the recommendation. Nomination is a responsibility under NHPA Section 110 (a)(2)(A).	Develop and provide maintenance of historic sites plan to DPR for review and comments.
2	B	58	9.2.2.B		
<b>K-055-525</b>				Approach to Analysis / Methodology. State specifically what the methodology is. Was the National Register criteria for evaluation used? the SCI S&C? - of which there are several? What is the basis for determining that a "site" is considered a "traditional cultural property"? Who determined and designated a site as traditional cultural property? Indicate specific federal law.	Identify the relevant historic context(s) on which the historic property is associated with. State references used pertinent to NHPA, i.e., NR Bulletin; 36 CFR 800 - Protection of Historic Properties, etc.
2	12	12.1	12.19		

### K-055-273

Thank you for your comment. The reference to "minimal contamination" on page 23, Chapter 2, Volume 4 is in regards to test results associated with Alpha/Bravo wharf construction and maintenance dredging and not a specific "recent dredging" event. The results of sediment chemistry and physical testing provided in this chapter and in Chapter 4, Volume 4 indicate that the materials to be dredged can be removed while meeting Guam water quality standards and not require special handling or treatment prior to disposal, whether upland or ocean disposal. The Navy is awaiting final approval from EPA in regards to the ODMS (ocean disposal site) option. During the formal permit application process, additional testing, if necessary, will be specified during that phase of review and approval as appropriate.

### K-055-274

Thank you for your comment. The Navy has recently completed a preliminary report, *Construction and Demolition Debris Reuse and Diversion Study for DOD Bases, Guam*, dated 20 January, 2010 that addresses waste characterization, processing and disposal of construction debris. This report will be presented to GEPA and GovGuam in the near future for review and approval. Information from this report was used to update the FEIS. The report recommends that DoD establish a central processing facility that will be used to recover and reuse concrete (without lead-based paint), asphalt concrete, soil, scrap metal, and green waste which will result in the Navy being able to achieve a construction and demolition debris waste diversion goal of greater than 50% by the end of fiscal year 2015. A site for the central processing facility is currently being evaluated but will most likely be located in northern Guam. Disposal of construction and demolition debris that is not divertable or able to be recycled will be disposed at the Navy Sanitary Landfill at Apra Harbor, or an existing private landfill in northern Guam.

<b>K-055-526</b>				
2	12	2-31	12-19	12.1.3.3
<p>Non-DoD Land / Route 15 Valley and Escarpment: The GHR Division does not support locating the firing range in this area, most especially since it will be directly above the Pagat Site - a Settlement Complex listed since 1974 on the Guam and National registers. The lease of this property to construct the firing range and its other facilities will result in fencing the access to the site and lessening its accessibility to less than 100 days a year. The DEIS did not adequately assess the adverse effects of the undertaking pursuant 36 CFR 800.5, nor the area of potential effect. Applying the criteria of adverse effects, the site will be affected in that the action will diminish the integrity of the property's setting, feeling, and association; it will change the character of the property's use or of physical features within the property's setting that contribute to its historic significance, and it will introduce visual, atmospheric and audible elements that will diminish the integrity of the property's significant historic features. Any intrusion, obstacle, or hindrance on its accessibility will adversely impact the public's right to visit and appreciate its beauty and most importantly its connection to the Chamorro indigenous past dating back 4,000 years ago. This site is significant for its research value, and as stated in a recent article, is considered "a sacred burial ground." We strongly recommend to evaluate and assess other alternatives, including the prospect of relocating it to our neighbor island, Tinian.</p>				
<p>&gt; Include the Chamorro Land Trust Commission as a consulting party to the programmatic agreement. The CLTC has jurisdiction over areas that will be impacted and who is ENTITLED to participate as consulting party under 36 CFR 800.2(c)(3). &gt; We strongly recommend to evaluate and assess other alternatives, including the prospect of relocating it to our neighbor island, Tinian. &gt; Comply with NHPA Section 112(b)(3). &gt; Consider exchange of federal historic property pursuant NHPA Section 111.</p>				
<b>K-055-527</b>				
2	2	2-4	2-44	2.3.4
<p>Maneuver Training Area: NMS3 - maneuver area would require an access road. As Mount Lamiam: an access (paved) road will be constructed. The hiking trail entrance may be fenced to keep out vehicles but still will be accessible from the sides. Historical record indicate that Mt. Lamiam is owned by Govt. of Guam; and from conversations with HP staff, the peak is owned by the DoD. Mount Lamiam is one of Guam's four National Natural Landmarks. It is listed on the National Registry of Natural Landmarks. It is very disturbing that Mount Lamiam is not specifically identified as part of the training at the Naval Manilans Site. The APE for this undertaking extends to Mt. Humuyong Manglo, where parishioners, and residents from throughout Guam hike up the trail during Good Friday. For whatever reason DEIS writers and planners excluded this important fact of Mt. Lamiam - it is imperative that the area be further evaluated if the property itself is a "traditional cultural property" which may be eligible for inclusion in the National Register of Historic Places under one of the "Criteria Considerations". FACT Mt. Lamiam is the highest peak on earth when it is measured from the bottom of the sea to its peak!</p>				
<p>Research and evaluate the significance and importance of Mt. Lamiam. Research ownership.</p>				

All dredged material would be tested for appropriate beneficial use prior to final disposal.

Operational plans for the use of barges as noted in the comment would be submitted as part of the permit application process.

**K-055-275**

Thank you for your comment. Detailed surveys of the reef system potentially impacted by the proposed action have been performed and these survey results are presented in Chapter 11, Volume 4. Once an alternative is selected, the engineering design phase would be advanced to identify the specific areas that would require chiseling, if any. These areas would be charted in plans and permit application submittals as part of the regulatory permit review process. Appropriate mitigation for the selected alternative impacts would be required after evidence that additional avoidance and minimization are not possible.

**K-055-276**

Thank you for your comment. Aggregate materials will be imported only for use on roadways. It is estimated that about 141,543 tons of aggregate will be imported from Japan. Regulatory standards regarding the import of these materials will be complied with.

Fill for projects will be generated on-site, whenever possible, or will come from cut soil at near-by projects. Likewise, cut soil will be re-used at the same site or at near-by projects.

**K-055-277**

Thank you for your comment. DoD was required to determine whether military relocation requirements could be met by excess, underutilized or otherwise available property held by DoD on Guam. Early development plans attempted to keep all activities on existing DoD lands. However, as

<b>K-055-528</b>			
2			
Cumulative Impact: Tanguisson, Hilaan, Hagpufo: If the decision is made to allow the construction of housing facilities for DoD personnel at Finegayan (Volume 2 Alternative 2: USMC Cantonment) and Volume 5 Alternative 2: Army Housing Colocated with Marine Corps Housing at South Finegayan), it was estimated by U.S. Navy Cultural Resources Manager that all of the surface artifacts will be subject to collecting, foot traffic damage, and vandalism within ten years. The Area of Potential Effect is not limited to the footprint of the proposed housing - it includes the beach areas where these historic properties are located. Additionally, the proposed Dos Amantes Workforce Facility, south of the proposed DoD housing, to house an estimated 24,000 workforce individuals, will definitely cause a dramatic increase in effects that may adversely impact significant historic properties. We anticipate that these areas will be used as recreational areas for swimming, fishing and hiking, and the like.			
<b>K-055-529</b>			
2	12	11-62	12.2.6
No-Action Alternative: The statement that "DoD management of cultural resources on non-DoD lands at the Harmon Annex or Route 15 would not occur and these sites could be vandalized or allowed to deteriorate. Implementation of the no-action alternative would maintain existing conditions, although there could be a significant adverse impact to NRHP-eligible or listed sites on non-DoD lands" is presumptuous.			
<b>K-055-530</b>			
2	12	11-62	12.2.7
Summary of Impacts: "Extensive data collection and surveys associated with this EIS/OEIS have examined more than 5,000 acres in Guam and recorded more than 100 NRHP-eligible archaeological sites and architectural resources. Recent studies have also identified traditional cultural properties, and conducted interviews with individuals knowledgeable about the history of WW II and of traditional practices." "The impact analysis has identified significant adverse impacts from the proposed action to between 20 and 35 NRHP-eligible archaeological and architectural resources and traditional cultural properties. Most of the impacts would occur on DoD lands. This EIS/OEIS has proposed potential mitigation measures to reduce those impacts to less than significant levels through data recovery, implementation of a preservation plan, public education, signs, brochures, and documentation."			> List all the studies and surveys indicating this. > Are there plans to nominate NR-eligible sites.

discussed in the FEIS (Volume 2, Chapter 2), after applying operational and environmental screening criteria, no contiguous DoD area on Guam was identified that could support all the land use and operational requirements of the action. Should DoD determine that additional land is necessary to meet its requirements, DoD policy requires that it negotiate with affected public and private land owners in good faith, seek agreements to acquire desired lands interests and pay fair market value. Where circumstances exist that require resolution of issues such as ownership or value, procedures exist under eminent domain authority to resolve those questions. Eminent domain requires reimbursement at fair market value.

#### **K-055-278**

Thank you for your comment. As stated in the FEIS, the no-action alternative would not meet the purpose for and need of the proposed action. It would not support the QDR goal of an increased aircraft carrier presence in the Western Pacific. The goal of the Navy is to proceed with the proposed action alternative, while continuing to work with the USACE and do whatever is necessary to satisfy the requirements of Section 10/404 permit documentation. The Navy, in accordance with all appropriate regulatory guidance, will implement appropriate BMPs and actions to avoid, minimize, and mitigate to reduce impacts.

#### **K-055-279**

Thank you for your comment. The upland disposal sites will be re-used for future projects, thus no closure plan is developed in the EIS.

#### **K-055-280**

Thank you for your comment. As described in the EIS, the dredge effluent would be dewatered over a local, non-potable groundwater aquifer. As part of the EA prepared for Alpha and Bravo Wharves, a

K-055-531				<p>Aircraft Carrier Berthing for New Transit Port - Preferred Alternate Site - Polaris Point:          Since the determination of the boundaries of the Area of Potential Effect (APE) for this undertaking (in all alternatives) was not included, it is safe to say that the assumptions posed that significant impacts on historic properties will not be affected is misleading, if not confusing. Figure 2.6-6, illustrates the proposed dredging (preferred alternative: Polaris Point), at the entrance area of the Outer Harbor. The red boundary indicates the project area and black borderlines of the proposed dredge areas. The Area of Potential Effect should extend out to all of the shoals (Western, Middle and Big Blue Reef) to the southwest, and in all of the shoals on the northern area (Jade Shoals and near Sasa Bay). We expect that the area of potential effect of the dredging should include a 300 meter buffer zone from the red line. An underwater – submerged resources survey must be conducted to determine the effects of their undertaking on historic properties when they are located and identified.</p>	
4	12				<p>&gt; Conduct submerged historic properties survey on the APE. &gt; Conduct comprehensive archival research. &gt; Report findings.</p>

leachate pathway analysis was conducted for dredged material placement at the Field 5 upland placement site. No contaminants of concern were discovered in the leachate that would exceed the GEPA Water Quality Standards for groundwater, and no engineering controls at the upland placement site were required. Because the dredged material under this Proposed Action would be similar to that evaluated for the Alpha and Bravo Wharf EA, the impacts to groundwater are expected to be similar. In addition, all material would be tested for the presence of contaminants as well as the potential for toxicity and bioaccumulation prior to dredging and the Navy would submit a dredge dewatering plan to the GEPA prior to the placement of dredge spoils.

**K-055-281**

Thank you for your comment. Please see the response to K-055-226.

**K-055-282**

Thank you for your comments. The Final EIS has been updated to reflect turbidity as the water quality indicator. The Navy would prepare and submit a sampling and analysis plan prior to disposal. Table 4.2-2 has been updated to include TBT.

**K-055-283**

Thank you for your comment. All material would be tested for the presence of contaminants (including copper) as well as the potential for toxicity and bioaccumulation prior to dredging. The Navy would submit a dredge dewatering plan to the GEPA prior to the placement of dredge spoils.

**K-055-284**

Thank you for your comment. This is Volume 4, Chapter 4, Water Resources, please refer to Volume 4, Chapter 11 in this volume for more details.

<b>K-055-532</b>	Vol. 2, Chap. 9 33	2.7.1.5	DEIS estimates for off-island/transient construction workers range from a low of approximately 3,200 to a high of approximately 18,200 per year. The potential for the loss of life of such workers (natural, work related or other causes) will directly impact DPR's public cemetery operations and reduce the life span of DPR's existing facility capacity accordingly (3 yrs. to capacity @ 125 ground burials per yr.).	Recommended that contractual provisions for off-island/transient workers include transport and associated cost for return to point of origin in case of death as well as joint local and DoD effort to expand existing Veteran's Military Cemetery and DPR public cemetery to accommodate population increase.
<b>K-055-533</b>	Vol. 2, Chap. 9 33	2.7.1.10	Recreation for workers will be provided at housing operations as well as transport to "public" recreational sites.	DPR recommends that construction workers be afforded access to DoD facilities and recreational resources as a measure to lessen impact on existing public recreational resources and amenities.
<b>K-055-534</b>		9.1.3.2	Admiral Nimitz Golf Course listed as "restricted to installation personnel and guests."	This site may currently be open to the general public. Discount provided for DoD personnel.
<b>K-055-535</b>	Vol. 2, Chap. 9 16	9.1-3	Updated information.	Target Golf no longer in existence. Add DPR Dededo Skate Park, DPR Guam Sports Complex, Tepungan Beach Park (Fish Eye, Pitti), Tanguisson Beach Park, Dededo Central Park. Change "Adelup" to "Ricardo J. Bordallo Complex".
<b>K-055-536</b>	Vol. 2, Chap. 9 13	9.1-7	Updated information.	Historical/Cultural Attractions: Add Ft. Soledad, Umatac.
<b>K-055-536</b>	Vol. 2, Chap. 9 16	9.2.2.1	Operation: DEIS discussion on impacts of population increase and mitigation confined to "DoD facilities". No discussion or analysis on impacts of population potentially seeking "public" recreational resources as an alternative to overcrowding of resources on DoD installation. DEIS estimates 75% of non-DoD personnel to reside off-base, which inevitably will result in overcrowding, accelerated deterioration, conflict, etc. of existing public recreational resources.	DPR recommends to expand proposed mitigation plan for QOL facilities to be located outside of DoD installation for shared usage for both DoD and civilian personnel. Increase in QOL facilities does not ensure that DoD personnel will not utilize public recreational resources and therefore does not mitigate the overall impact of the proposed alternative.
<b>K-055-537</b>	Vol. 2, Chap. 9 16	9.2.2.1 Cont.	The loss of recreational resources such as the Guam Raceway Park, Marbo Cave, Pagai Trails, etc., would significantly impact public recreational resources, as this would directly impact the increase in usage of the available and remaining public recreational resources.	Additionally, the loss of the Guam Raceway Park may result in increased illegal street racing, racing related accidents, deaths, etc. Unlike the Historical/Cultural resources site, the raceway park activity can be addressed by providing an alternate site.

The areas are presented as 3-d and 2-d purposely to provide realistic views of the areas to be removed by dredging. Corals, which include branching structures and rugosity, are 3-d, but the measured surfaces where corals live are 2-d. Therefore, measurements of 3-d are larger because they include the height of corals. Both are included because they are relevant; the differences between the 3-d and 2-d areas are of interest. No text changed.

### K-055-285

Thank you for your comment. A detailed compensatory mitigation plan would be submitted as part of the Clean Water Act 404 permit application for construction affecting the navigable waters of the United States (including the CVN transient wharf). Due to the ongoing review of DoD's habitat assessment methodology for coral reef ecosystems and associated uncertainties regarding the scope of mitigation required, a detailed mitigation plan has not been developed nor will one be available for incorporation into the FEIS. However, a number of mitigation options, including watershed restoration and the use of artificial reefs, are discussed in programmatic nature in Volume 4, Section 11.2 of the FEIS. DoD recognizes that, as part of the CWA Sec. 404 permitting process, additional NEPA documentation may be required to address specific permitting requirements and implementation of required compensatory mitigations.

### K-055-286

Thank you for your comment. Habitat assessment methodologies which evaluate the function of affected aquatic resources, such as coral reef ecosystems, are an evolving science and the adequacies of existing and new methodologies are heavily debated in the scientific community. Ideally, a standard assessment technique that accurately characterizes and quantifies losses and gains of coral reef ecosystem functions would be used. However, rulemaking for the Compensatory Mitigation Rule

<b>K-055-538</b>	9.2.2.2	Impact of proposed construction would restrict access to recreational resources. Indication that comparable resources would be available in adjoining properties.	No mention of restriction to local residents or DoD personnel. Recommend that access to replacement (adjoining) site be open to general public.
<b>K-055-539</b>	9.2.2.2 Cont.	The MCSS proposes to construct a variety of QOL facilities aimed at alleviating the demand, deterioration, etc., of recreational resources on non-DoD lands. The addition of QOL facilities on DoD lands which are only available to DoD personnel and guests does not ensure that the use of non-DoD recreational resources will be utilized and thus impacted.	Although the addition of QOL facilities will provide alternative recreational activities for DoD personnel and guests, it will not provide an alternative to local beaches and parks which are limited in number in Central Guam. These recreational resources on non-DoD lands (beach parks) will continue to be a popular recreational resources for all persons residing and visiting Guam. As a result, the proposed alternative will directly and significantly impact recreational resources on non-DoD lands. Historically, the local government, private business sector, as well as the DoD commands have encouraged and embraced interaction between the local population and our military neighbors.
<b>K-055-540</b>	9.2.2.2 Cont.	Construction in the Apra Harbor area will directly impact local recreational resources as the displacement of recreational resources and users in the subject area will naturally divert to other sites such as the East Agaña Bay and other beach park sites. This will not only accelerate the impact to marine resources, but present significant conflict between users (commercial operators and general public) in areas regulated by Guam's Recreational Water Use Management Plan areas due to the limited sites (accessible and safe locations) available for popular water activities (mechanized and non-mechanized water crafts, diving, etc.).	Unrestricted - controlled access (open to non-DoD personnel) to sites located on DoD lands during and after construction operations is recommended.

recognizes the wide variety of aquatic resources present in the United States and the evolving nature of science regarding aquatic ecosystem restoration make the establishment of standard assessment methodologies impracticable. The assessment for this EIS used an historically approved methodology (percent coral cover), supplemented by other methods such as the use of Light Detection and Ranging (LIDAR) satellite photos, for quantifying impacts to affected coral reef ecosystems impacted by the proposed transient CVN wharf and associated dredging. DoD believes that use of the percent coral cover methodology, supplemented by use of LIDAR satellite photos, is the "best currently available science" to attempt to capture the thousands of elements that comprise the function of a coral reef ecosystem. DoD's assessment is currently under review by the US Army Corps of Engineers, the agency charged with implementing dredge and fill permits under CWA Section 404, and other Federal agencies. The FEIS will be updated to reflect the latest developments in this review.

**K-055-287**

Thank you for your comment.

The EIS acknowledges that dredging would result in short-term, localized impacts to water quality as discussed in Section 4.2.2.2, Volume 4. As noted in this Section, there would be short-term increases in turbidity, short-term decreases in dissolved oxygen, and resuspension of sediments possibly containing metals. Wharf construction and dredging activities in Apra Harbor have shown that there has only been short term, localized impacts to water quality with the use of BMPs. There have been no violations of water quality standards reported. It is anticipated that construction and dredging activities associated with the proposed transient CVN wharf would be consistent with previous actions regarding impacts to water quality.

As part of the CWA Section 404 permitting process, the DoD would

<b>K-055-541</b>	Vol. 4, Chap. 9 2	9.2.2.1	The transient berthing of an aircraft carrier would significantly impede access to non-DoD recreational resources and opportunities as the temporary surge in population and resulting usage of recreational resources (beaches and parks) by carrier personnel would result in overcrowding and thus limiting and possible restricting access due to capacity constraints; substantial conflict between recreational users is anticipated due to the limited - developed resources (i.e., Asan, Piti, Tuion and Hagafna Beaches and Parks) for similar activities as well as compatible water uses (swimmers may irritate on windsurfing lane due to overcrowding, etc.); and would cause substantial deterioration of non-DoD recreational resources as a result of accelerated usage. The DEIS mitigative measures provide for the shuttling of carrier personnel to non-DoD recreational resources to limited the impacts (no impact) to DoD resources.	Additional mitigation measures should include the funding for the maintenance, upkeep and operation of non-DoD recreational resources impacted by the transient berthing as well as the deployment of DoD and/or DoD contract personnel to augment the local government's limited lifeguard and park patrol personnel.
<b>K-055-542</b>	Vol. 5, Chap. 9 2	9.2.2.1	Access to recreational resources located in NCTS Finegayan currently restricted to DoD personnel, guests, and civilian workers and their dependents. Recreational options available to these personnel include other bases as well as resources located on non-DoD lands.	It is recommended that access to the Finegayan site, as well as to other unique historical and cultural resource sites located on DoD lands, be permitted to some degree (scheduled, permitted, escorted, etc.). This option would provide recreational options for non-DoD personnel and as a result, ease congestion at other resources site, both non-DoD and DoD lands.
<b>K-055-543</b>	Vol. 6, Chap. 11 9	11.2.6.1	Park lands identified for potential taking as a result of roadway construction along Rt.1 include portions of Dedado Buffer Strip (Dedado Central Park), Chinese Park and Paseo de Susana.	DPR recommends that replacement park lands within the subject locations be identified and developed prior to the taking. In addition, it is recommended that the replacement park sites be equal to or greater than the lands taking, resulting in no net loss of public recreational resources.

conduct appropriate modeling prior to obtaining a CWA Section 401 Water Quality Certificate for in-water construction.

Request for inclusion of measurements of turbidity noted. Turbidity and TSS measurements are thought to measure the same water quality property.

**K-055-288**

Thank you for your comment. Impact analysis was conducted for direct and indirect effects associated with increased in-water traffic, including propeller wash. See Section 11.2.2.2, pp. 11-67, 11-69, 11-96, and Table 11.2-13, pp. 102-103. Although vessel traffic will be increasing with the proposed action, considering the depth of the channel will be increased, it is anticipated that less resuspension of materials will be seen from "prop wash" in the long-term.

**K-055-289**

Thank you for your comment. A detailed compensatory mitigation plan would be submitted as part of the Clean Water Act 404 permit application for construction affecting the navigable waters of the United States (including the CVN transient wharf). Due to the ongoing review of DoD's habitat assessment methodology for coral reef ecosystems and associated uncertainties regarding the scope of mitigation required, a detailed mitigation plan has not been developed nor will one be available for incorporation into the FEIS. However, a number of mitigation options, including watershed restoration and the use of artificial reefs, are discussed in programmatic nature in Volume 4, Section 11.2 of the FEIS. DoD recognizes that, as part of the CWA Sec. 404 permitting process, additional NEPA documentation may be required to address specific permitting requirements and implementation of required compensatory mitigations.

<p><b>K-055-544</b></p> <p>Vol. 7, Chap. 33 24</p>	<p>3.3.8.1</p>	<p>The DEIS asserts that by providing comparable and alternative recreational resources to military, dependants, and civilian personnel, impacts to local recreational resources would be alleviated, benefitting Guam residents and off-island visitors as well. All proposed QOL facilities to mitigate the demand on recreational resources by the build-up are planned for DoD facilities and restricted to use by military personnel, guests, civilian workers and guests. Mitigation has been confined to reducing the impact to recreational resources located on DoD lands. No mitigation has been proposed to address the impacts of the increase in population to public, non-DoD recreational resources.</p> <p>No restriction is currently placed on or is anticipated to be placed on the population of military, civilian, and dependant personnel associated with the Marine Corps relocation to Guam, and thus the use of local, non-DoD recreational resources is highly likely. It is strongly recommended that the DEIS expand its scope of study to include impacts to non-DoD recreational resources by military, dependants, and personnel. Specifically, that the DEIS include the probability of usage (survey, historical data, etc.) by DoD personnel of non-DoD, local recreational resources and the resulting impact, as well as the feasibility of shared QOL facilities located outside of restricted DoD facilities (i.e., Admiral Nimitz Golf Course) as an alternative to the proposed mitigation.</p>

**K-055-290**

Thank you for your comment. Resource areas impacted by utilities are discussed in later chapters in Volume 6. For instance, the impact on the marine biology resource is covered in Volume 6 Chapter 13. Please refer to these subsequent chapters for impacts to the various resource areas from the utility alternatives.

**K-055-291**

Thank you for your comment. The DoD is considering several options for disposal of dredged material, including upland placement, ocean disposal, and beneficial uses such as shoreline stabilization, fill for berms, and fill for the Port Authority of Guam, as discussed in the EIS (Chapter 2, Volume 4). Using dredged material for beneficial reuse projects would depend upon the suitability of the material for these projects as well as whether the proposed action timeline coincides with the need for material for a reuse project. Detailed analysis cannot be done at this time because specific projects have not yet been identified with certainty. While beneficial reuse is a priority for the DoD, the final decision on dredged material management will be made during the final design and permitting process. Detailed analysis of the potential impacts from using dredged material for reuse projects will be conducted during the permitting phase.

The Navy acknowledges there is potential for their existing and future coastal facilities to be adversely affected by sea level rise, inundations from more extreme storm events and other consequences of climate change. However, predictive models on future sea level rise are subject to variability, due in part to unknown future greenhouse gas emissions. The variability increases with the period of time being assessed. Risk assessment methodologies and technologies are being developed to predict the potential impacts of climate change on existing Navy coastal facilities. As new design criteria relevant to climate change are adopted by the Navy, they will be incorporated into project design.

K-055-545	17.1.1	Naval Maritime Site Access Road Alternative will require RW acquisition (8900) Ref: Alternative A	Issue of culture that due to gated barrier appears to violate local law regarding blockage of RWs, easements, Traditional Rights-of-Ways, easys, etc.
		in reference to Alt B wherein hiking trail will not be improved	If gated the effect is the same as above.
		in reference to RW acquisition	Information not specified as to whether GovGuam lands or private lands are being considered. If GovGuam lands, approval must be via legislation; Additionally, if GovGuam lands, are lands "registered" or unregistered.
K-055-546	22	Would increase demands on power, potable water and wastewater utilities - proposed action would affect the remaining life of the Solid Waste Facilities on Guam	To what extent and how soon? Is another landfill prudent, i.e., at Astariki? Any new landfill if on GovGuam or private parcels) must first reviewed by the Land Use Commission
K-055-547	27	Reference Table 2.7.2 primary construction is in the north and central	Impact on groundwater and northern aquifer. Table 2.7.5 shows potential for 22 new water wells under Alternative 1 & 31 new water wells under Alternative 2 - however, no specific location identified, and water rights is questionable (is it the people of Guam?) What role does GWA have? Will GovGuam be a customer to use these new water wells?
		Reference Table 2.7.2 Refurbish NDWWTF	Is GovGuam or in the current abatement the private developer responsible for such refurbishment? Is the NDWWTF capable of accommodating the population increase given the fact that most major private development have been allowed to continue based on usage of this treatment facility? If the military were to construct sewer lines to the NDWWTF, will private development be able to benefit?
K-055-548		Reference Table 2.7.5 - Construction of sewer lines from barracks to the NDWWTF	Additional assessments required? And if yes, is it on GovGuam or private lands? Are private individuals or developers allowed to use new lines?
K-055-549		2.7.1.4 - Construction Requirements - For EIS, construction debris not recycled would be directed to GEPA approved landfills	Lagoon is the only landfill that will be in operation. Where are these GEPA approved landfills to be located? GLUC approval is required prior to use.
K-055-550		Reference Table 2.7.6 lists Primary Locations of Roadway Widening Project Construction	Table lists 8 major projects all being central to north. No mention or consideration on 2 major arterial RWs (Pavac J and K) abutting Route 3 and linking with Daach Road planned to be used or at least considered for improvement since it is strategically located in the major construction and vehicular traffic areas of operations
K-055-551		Reference 2.7.1.6 - Work Force Housing - states that there are 17 previously used 400 housing facilities in Yigo, Dededo, Tamuning, Agat, Baniagaia and Yona-further states that these could be considered for refurbishing an re-approval	Per GLUC Resolution No. 2009-01, TWHF are only allowed in an "M" Zone and under a permitted Conditions Use Permit-which implies Land Use Commission review and approval. [There are 12 existing and approved TWHF-if capacity is to increase or any new modifications/changes anticipated for these facilities, re-approval by the Land Use Commission is mandatory. [The proposed Tamon Village Apartment complex, which in 2009 was being subjected under TWHF review has been sold with no authorization by the previous owner to convey "application permit and proposed renovation building plan" to the new owner-Since the zoning designation of this complex is "PLU" any proposed TWHF is moot unless zone change to an "M" Zone. [Use of former military barracks in Tigan is a challenge and may have to be subjected to Land Use Commission review and approval. The challenge lies in the issue as to whether a zoning designation exists on the parcel wherein the structure is located. The view that contractors may not opt to utilize the planned TWHF presents a challenge for such contractors since TWHF can only be located in an "M" zone and must be subjected to Land Use Commission review and approval.
K-055-552		2.7.2.1 - Aggregate Requirements - TRANSPORTATION - state that there are 4 sites from which Coral aggregate can be gathered	If there are new sites, it would be considered as "Mining/Quarry" operations that will require Land Use Commission review and approval

### K-055-292

Thank you for your comment. Access would be available within the normal context of vehicular roadways.

### K-055-293

Thank you for your comment. The Navy acknowledges there is potential for their existing and future stormwater management and coastal facilities to be adversely affected by sea level rise, inundations from more extreme storm events and other consequences of climate change.

However, predictive models on future sea level rise are subject to variability, due in part to unknown future greenhouse gas emissions. The variability increases with the period of time being assessed. Risk assessment methodologies and technologies are being developed to predict the potential impacts of climate change on existing Navy coastal facilities. As new design criteria relevant to climate change are adopted by the Navy, they will be incorporated into project design.

### K-055-294

Thank you for your comment. Potable water from shore is needed for consumption, laundries, food preparation, showers, and some other shipboard activities such as cooling water for some systems. Sea water is used for toilet flushing, deck washing and many industrial activities. Therefore, potable water versus wastewater demand on a ship is not equal. Additionally, estimates for water and wastewater demand, whether from a ship or ashore, use different factors as assumptions for water use per person versus wastewater generation per person.

### K-055-295

Thank you for your comment. The CVN has backup for pumping wastewater. The characteristics of the wastewater from CVN ship is similar to domestic sewage from the Navy base, but since sea water is used for toilet flushing and some industrial systems aboard ship, the

K-055-553		17.2.1 - <b>STUDY FINDINGS</b> - state that several areas maybe available such as Harmon Industrial Park and currently undeveloped areas in Vigo and Dededo	Undeveloped Areas not identified Federal for siting and flow into adjacent private properties. Frequency & time of Access from site -noise generation from vehicular and heavy equipment operations-potential for fuel leaks into the northern aquifer.
K-055-554	32.1	Summarizes required parcels for each main relocation alternative; each alternative has footprint in the Pigeonhole Refuge overlap- low as 389 acres to a high of 1,106 acres	While it is not the normal land use issue as it pertains to review before the Guam Land Use Commission, Nonetheless, it is a more larger Land Use Rights issue from the perspective of the Government as a whole and its private civilian constituents. It is ironic and rather bias that Fish & Wildlife would grant the military use of certain acreage within the refuge while denying the Japanese Landowners a grant of an "unimproved access road" easement to their land lock properties through the ridian refuge. This siting issue by the Fish & Wildlife has persisted for over a decade, if not more. As is typical in the treatment of "Chamorro", a second hand alternative was made to provide an access road via AAFB. What was provided the landowners was for the construction of a bypass road to their landlocked properties through a \$3 million dollar FHWA funding. This bypass access road is reportedly plan to be built from Tanguig Beach Caves to the flat private property at Japanese. However, access to this new improve roadway is contingent and dictated by USARF Policies and, permission must be granted to first gain access through AAFB front gate, contingent on whether there is an ongoing exercise, etc. If built, this new road begins and ends nowhere as is currently the case. This bypass road does not relieve the Japanese landowners from being landlocked. Our local law recognizes this situation and requires that "No land be landlocked", but the fact that private properties are landlocked is not a even a priority by the Military nor by the Federal Fish & Wildlife that it would grant an easement because it is the "TIGHT" action to take.
K-055-555	32.3	Alternative 3 - addresses the subject on "Continentment Sites", identifies Navy Benigada as containing @250 acres & Air Force Benigada @ 400 acres and both have a site commonality in that while both are separated yet both about the Navy Golf Course;	It makes more sense to redevelop and reuse the Navy Golf Course into the required housing and other quality of life facilities; this will diminish the additional acreage that the military believes it needs and would not impact the taking of Gov/Guam or private lands
K-055-556	32.5	Addresses Training Range Complex (Alternative A - Preferred)	This alternative identifies proposed site location as East of Anderson South on Non DOD Land - Its IMPACT: Unknown as to whether the acquisition or leased to GOV/GUAM or PRIVATE Lands; and if lands are registered lands or not; in either case, the "USE" as a Training Range is not an outright permitted or permitted conditions use under our local Zoning Law; A "USE, VARIANCE" must be obtained from the Guam Land Use Commission. Additionally, if built, how often, how long will it be in operation; and to what extent will it affect adjacent property owners?
	32.8	Addresses Training Range Complex (Alternative A - Preferred)	This alternative would require realignment of a 1.7 mile stretch of Route 15. IMPACT: If GOV/GUAM is the owner of Route 15, then compensation for acquisition of this 1.7 mile stretch must be followed through.
	32.9	Addresses Training Range Complex (Alternative A - Preferred)	If this 1.7 mile stretch is acquired, plans further call for a major road construction activity. Proposed plans will require that this now realigned road will be graded at 15' (feet) below existing conditions. It is understood that a detailed A&E plan is not required at this point in time, yet, there could have been a conceptual plan or proposed actions that may provide for mitigation measures such as its effects on adjacent non DOD lands; potential flooding, drainage, access to private or GOV/GUAM lands and other environmental issues. When relocated, who is the owner of this new right-of-way? and if owned by the military, will they impose their regulations on civilian drivers, will they close it during known exercise, etc. If this will occur, it directly impacts the livelihood and quality of life for the civilian populace who live in the area; or simply, to exercise their freedom to travel.

wastewater is more saline than typical domestic wastewater. Additionally, because ships use piping made of high percentages of copper and nickel because it is more resistant to corrosion from sea water than iron and other piping materials used for domestic sewage, there are higher concentrations of copper and nickel in ship sewage. Additionally, ships use brass fittings and pumps, and also use sacrificial zinc anodes in wastewater tanks due to the corrosivity of salt water, resulting in copper, nickel and zinc in higher concentrations in ship wastewater than typically found in domestic sewage. Bilge water generated by ships is also comprised of salt water and contains oils, which would be pretreated prior to discharge into Navy sewer system for further treatment at the Navy base wastewater treatment plant. Although salt water and metals are expected in shipboard wastewater, the flows and concentrations are not expected to impact the treatment capabilities at the Navy plant.

#### K-055-296

Thank you for your comment. The Final EIS includes additional discussion of stormwater management and low impact development. DoD would adhere to all water quality requirements, including stormwater management, and would undertake required upgrades needed as a consequence of the proposed military relocation program.

#### K-055-297

Thank you for your comment. Volume 2, Chapter 17 presents the estimated volumes and types of hazardous waste anticipated by activity (e.g., transportation, operations, training, etc.).

#### K-055-298

Thank you for your comment. The Navy acknowledges there is potential for their existing and future coastal facilities to be adversely affected by sea level rise, inundations from more extreme storm events and other

K-055-557	3.5.2	Naval Air Station Site (Alternative A Preferred) Process to use the existing trail at 4 miles long totaling .8 acres of land that would be improved at 10' Foot wide	IMPACT: The type of improvement was not specified, e.g., paved, concrete, coral base excavated, etc. Plans also call for erection of a "UNMANNED LOCKED GATE". This implies that there will be "NO ACCESS" by civilians other than military personnel. Is the purpose of this existing trail use to gain access to a known historical or archaeological site or park? Is the existing trail deemed a "TRADITIONAL RIGHT-OF-WAY"? If yes, then the blockage by gating is in violation of Title 5 concerning the blockage, hindrance, obstruction of ROWs, ways, access, easements, etc.
K-055-558	3.5.3	Ammunition Storage Site (NMS Preferred Alternative)-Parsons Road	The proposals under Alternative 1 & 2 are similar but failed to mention the total tonnage of explosives for both what is existing and what the additional tonnage is. For example, the potential tonnage ranges from 360,000lbs to 500,000 lbs; however, the existing tonnage was not identified as well as the type, e.g., is still high explosives, etc. The potential detonation burning radius of each munition type was also not provided. The impact while the NMS location is not adjacent to housing (both military and civilian), there exists private properties at the base of the cliff (the Japanese landowners) and the question is: What effects, if any, would it have on private property and landowners, should the explosives be detonated?
K-055-559	3.5.4	Airports - Sites that during Terminal High Altitude Area Defense (THAAD) radar operations, there is potential hazard to military and civilian aircraft A (Special Use Airspace) to be reserved over northeast coast of Guam	IMPACT: Are Local civilian aircraft operators for fixed and rotary wing (helicopters) aircraft be informed of scheduled operations. Will rotary aircraft be totally restricted at all times from flying into and out of private properties located at Jingsong? IMPACT: There is silence on radiation emissions generated by these radar equipment, therefore, what effects does it have on land use of private properties at the base of the cliff and on private landowners? How far is its propagation emissions?
K-055-560	3.6.1	Power - Figure 3.6.1-Utilities	A proposed Power system location is identified along Harmon Loop Road. IMPACT: Location appears to be on Gov/Guam land (map is not specific, but based on the "Star" designation nomenclature, location appears it may be near the Pita market, or on the Soccer Field, and may be on C.I.T.C. land. Again, if built, what effects will have on adjacent properties, businesses, and landowners. If to built in this area, Guam Land Use Commission approval is needed.
	3.6.1.1	Power (New Power Plant at Potts Junction)	IMPACT: Where located on FRODOAL, GOV/GUAM or PRIVATE lands? If on GOV/GUAM or PRIVATE lands, the use must be approved by the Guam Land Use Commission. Power Plant - will civilian customers be allowed? What effects will it generate on adjacent properties, e.g., noise, air emission, odor, etc.

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consequences of climate change. However, predictive models on future sea level rise are subject to variability, due in part to unknown future greenhouse gas emissions. The variability increases with the period of time being assessed. Risk assessment methodologies and technologies are being developed to predict the potential impacts of climate change on existing Navy coastal facilities. As new design criteria relevant to climate change are adopted by the Navy, they will be incorporated into project design.

### K-055-299

Thank you for your comment.

Aggregate materials will be imported only for use on roadways. 141,543 tons of aggregate will be imported from Japan. The EIS has been updated to reflect this information.

All other fill/aggregate required can and will be locally produced from Guam's quarries.

### K-055-300

Thank you for your comment. The DoD and regulatory agencies are equally concerned about preventing contamination of surface waters.

The EIS describes numerous programs and actions that would be taken to protect surface waters from stormwater runoff. Construction of new facilities would use Low Impact Development (LID) principles to the extent practical. DoD has conducted a LID study that identifying specific types of alternative designs that can be incorporated into the construction of facilities associated with the buildup to minimize potential water resources impacts. The EIS contains an assessment of potential impact to corals and marine fauna in the Marine Biological Resources section (Volume 4, Chapter 11).

K-055-561	Air Quality	Resource Identification - further identifies air quality impacts due to Marine activities in Volume 7. High intensity uses to include live fire, air combat support, and ground movements will generate substantial increases noise, changes to air quality, and quality use of air space. This could serve as a determining factor when consider future land use planning for adjacent and surrounding properties.
K-055-562	Noise	Resource Identification - further identifies air quality impacts due to Marine activities in Volume 7. High intensity uses to include live fire, air combat support, and ground movements will generate substantial increases noise, changes to air quality, and quality use of air space. This could serve as a determining factor when consider future land use planning for adjacent and surrounding properties.
K-055-563	Air Space	Resource Identification - further identifies air quality impacts due to Marine activities in Volume 7. High intensity uses to include live fire, air combat support, and ground movements will generate substantial increases noise, changes to air quality, and quality use of air space. This could serve as a determining factor when consider future land use planning for adjacent and surrounding properties.
K-055-564	Recreational Resources	Identifies off-base and on-base recreational facilities that are open to the public or restricted to installation personnel and guests only, respectively. DEIS identifies the restriction of public access to Pagai Caves when military takeover of surrounding lands for live fire training activities. Impacts include the loss of the historic/recreational site for the general public. No mitigation appears available. Anticipated usage of non-GOQ lands by military personnel, contractors, and dependents should re-direct expansion and improvement planning efforts for recreational facilities (both natural and manmade).
K-055-565	Cultural Resources	Historic Properties in the Area of Potential Effect (APE) DLM differs to EPR-HPD. Otherwise, land use and development in or within areas of APE concern shall require appropriate building permit review and consideration through the DFW.
K-055-566		Increase in need for low-cost housing may trigger subsequent increase in federal low-cost housing programs. This may ultimately lead to increased demand for government lands for subdivision development purposes once existing public housing assets have been exhausted.
K-055-567		DEIS identifies potential traffic increases to Route 3, Route 10 North of Route 32 to Route 8, Route 15 at the intersection with Route 10, Route 16, Routes 25, 26, and 28. Development of these thoroughfares to accommodate anticipated traffic increases. Subsequent realignment of adjacent property subdivisions and re-assessments of zoning designation from predominant rural agricultural to more higher intensity uses reflectively conducive to anticipated increase in traffic operation.
K-055-568	To establish an Aircraft Carrier Berthing Facility in order to conduct Aircraft Carrier (Carrier Strike Group) transfer visits throughout the year, with cumulative of up to 63 visit days per year with an anticipated length of 21 days or less per visit.	Throughout this volume referenced to the number of personnel and its demand for wastewater, potable water, transportation and other refurbishing needs of the Carrier Strike Group (CSG) is based only on the Aircraft Carrier personnel and not the entire CSG.
K-055-569	Munitions Storage Alternatives	Any sites with munitions storage will need a safe explosion buffer zone and in the areas of both Navy and Air Force Barragans, are close proximity to civilian population. The proposed munitions storage will affect any proposed private residential and housing/subdivision development for possible explosion in the adjacent military property.

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### K-055-301

Thank you for your comment. Volume 2, Chapter 17 discusses the kinds and amounts of hazardous waste that are estimated to be generated by activity (e.g., transportation, operations, training, etc.) if the proposed DoD action takes place.

### K-055-302

Thank you for your comment.

The referenced correction was not found. There is no page 83 of Volume 4, Chapter 3, and a search of the document did not turn up any use of "Public Utilities Agency" in this Chapter.

### K-055-303

Thank you for your comment. The make up/characteristics of the dredged material is such that it will not fuse into concrete-like rock when rained on.

### K-055-304

Thank you for your comment. In the FEIS, Volume 2, Chapter 3, Section 3.2.2.3 was edited to include the beneficial impact of the re-use of dredged material.

### K-055-305

Thank you for your comment. Section 4.1.1.4 of Volume 4 contains a revised definition for nearshore waters.

### K-055-306

Thank you for your comment. The EIS reflects analysis of the potential for direct and indirect impacts to occur during construction and operations.

K-055-570	12.4	Weapons Emplacement	Any sites with weapons emplacement will need a safe explosion buffer zone and in the areas of both Navy and Air Force Barigada are close proximity to civilian population. The proposed weapons emplacement sites will affect any proposed private residential and housing/subdivision development for possible explosion in the adjacent military property.
K-055-571	12	Non-decision point actions	DEIS acknowledges direct & indirect impacts on island within this volume, however, emphasizes that control of the resources utilities/facilities are not in DoD's control.
K-055-572	8.1	Affect Environment	The region of influence for land use is land and ocean in the Territory of Guam within 3 nmi (5.6 km) off shore.
	10	Land and Submerged Land Use	The region of influence for land use is land and ocean in the Territory of Guam within 3 nmi (5.6 km) off shore.
K-055-573		Terrrestrial Biological Resources	Provides for protection of special status species such as the Mariana fruit bat, Mariana crow and the Micronesian kingfisher with respect to power, water, sewer & roadways impacts. Refer to Department of Agriculture - See 5 GCA, Part 9, Chapter 63 (Department of Agriculture); 5 GCA, Part 2, Chapter 61 (Plants & Animals); 5 GCA, Part 2, Chapter 63 (Fish, Game, Forestry & Conservation); 5 GCA, Part 2, Chapter 65 (Land Conservation Act)
	10	Marine Biological Resources	Impacts only to Apra Harbor relative increase in activities due to relocation
K-055-574		Cultural Resources	Refers to National Historic Preservation Act (NHPA)
K-055-575			and the Archaeological Resource Protection Act on cultural resources as it impacts utilities - nothing about living culture and its protection thereof.
	73	Visual Resources	With respect to Utilities, deals with more of quality of the issue rather than a view
K-055-576	12.5.1	Summary of Preferred Alternatives Impact	What is the basis for determination for a less than significant impact?
K-055-577	8.3.7	Land and Submerged Land Use	Indication of relocations, and land acquisition or long term lease for roadway improvements leads to possibly requiring new easements. Who would then be responsible for those easements?
K-055-578	8.3.7.3	Comparison of Preferred Alternatives to No Action	...The impacts of the proposed island-wide increases in federal land are being addressed in the Land Acquisition Impact Study portion of the Socioeconomic Impact Assessment Study that is being developed and would be available as part of the Final EIS. Realization of impact, however not able to determine the extent of such impacts.
K-055-579			

### K-055-307

Thank you for your comment. The design for the off-base road projects are at the conceptual level. As the project moves forward, the final details regarding storm water runoff would be developed. Design criteria regarding storm water runoff are being coordinated between Guam DPW and Guam EPA. All projects would adhere to local design criteria and laws.

### K-055-308

Thank you for your comment. The Final EIS contains this information.

### K-055-309

Thank you for your comment. The DoD and regulatory agencies are equally concerned about preventing contamination of surface waters. The EIS describes numerous programs and actions that would be taken to protect surface waters from stormwater runoff. Construction of new facilities would use Low Impact Development (LID) principles to the extent practical. DoD has conducted a LID study identifying specific types of alternative designs that can be incorporated into the construction of facilities associated with the buildup to minimize potential water resources impacts. Once construction is complete, a SWPPP would be developed to control stormwater runoff and infiltration from base operations. This is being done on a regional DoD Guam-wide scale, and has the involvement of Guam EPA.

### K-055-310

Thank you for your comment. There are no known Mariana common moorhen habitat areas and no mangroves or wetlands located near the proposed project areas. There would be no impacts to these resources.

### K-055-311

Thank you for your comment. The EIS includes a discussion on

K-055-580	2 10 10-7	GDYA runs a variety of programs and services, corrects to add on its youth programs and facilities include Youth Correctional Facility (YCF) and Cottage Homes (CH), Counseling/Case Management Unit, Community Social Development Resource Centers, Prevention Unit, clinical, administrative support, maintenance and culinary services.	DoD can fund volunteer programs (i.e. stipends, tuition assistance, scholarships, sponsorships) for community individuals to assist with GDYA mentoring services and activities provided by the Youth Correctional Facility, Cottage Homes, Resource Centers, Prevention Unit, Counseling Case Management Unit and Vocational Rehabilitation and Support Services.
K-055-581	2 15 16-2	Public Safety Services: GDYA continues to receive military dependents. From 1998 -2009, 107 military dependents were admitted to the Youth Correctional Facility (YCF) and Cottage Homes (CH). Military dependents also participate in GDYA community-based activities. To ensure security, safety, supervision and care and custody of incoming youth as a result of the proposed actions and impact, such influx warrants the need for additional personnel, construction of new buildings and equipment as staff ratios and existing facilities are already deficient.	DoD can fund additional personnel (youth service workers, social workers, clinicians, medical, maintenance and administrative staff), new buildings and equipment. DoD can assist DYA with technical assistance, develop and implement comprehensive data collection systems on services provided to FAS citizens and military individuals to access Compact Impact and other related funding.
K-055-582	2 18 19-2 Table 16.2-43	GDYA service population is ages 5 to 21, corrects to 10-17.	DoD can fund additional professional positions such as social workers, clinicians, medical and prevention personnel for its programs and services which support early childhood, academic, and social development to at-risk children (ages 5 to 12) and implements programs and activities geared toward youth development, prevention/diversion, 24-hour crisis intervention and treatment/rehabilitation/aftercare, including youth who are under continuing jurisdiction of the court (ages 8-21).
K-055-583	2 16 16-2 Table 16.2-43	Construction Component Assumptions for Public Safety Agency Impacts: GDYA Youth Service Worker : Service population ratio indicates 1:3. The average number in the supervision, care and custody of the YCF clientele is 45 but has been exceeding its standard at 70 clients while the CH is 18 clients.	DoD can fund additional personnel and the construction of new buildings as the additional capacity rate is estimated at 35 clients for the YCF. A new YCF facility should have the capacity of 150 clients and a new CH capacity of 25 clients, including a new administration building to ensure adequate services, security of clientele and safety for both clientele and personnel.

potential beneficial reuse options, as does Volume 9, Appendix D. The discussion addresses the priority to utilize dredged material (DM) for beneficial purpose including such uses as landfill cover, road base, backfill, beach re-nourishment if suitable, etc. Beneficial reuse is preferred and would be examined on a case-by-case basis. The receiver of DM would be responsible for disposal or reuse of DM. The upland placement study examined several opportunities for beneficial reuse of DM to include use of DM as landfill cover and to support Port Authority of Guam projects.

**K-055-312**

Thank you for your comment. Sampling data indicate that the majority of the sediment (e.g., >50%) is comprised of larger grained material and, therefore is generally referred to as being “coarse” in the EIS. Sediment grain size data is presented as a percentage and is discussed as such in the EIS. The EIS will be updated to include a clear presentation of collected grain size data. The three-dimensional circulation and transport model of the project area was developed using the Environmental Fluid Dynamics Code (EFDC). The model included wind and tide forcing, and fresh water inflow into the Inner Apra Harbor; the dredge plume was simulated by loading the water column with specified quantities of suspended sediment composed of 5 different grain sizes. The sediment grain distribution was determined from bottom samples taken in the project area. Specific monitoring requirements would be identified and implemented following agency coordination and permitting. A number of measures would be taken to minimize the distribution of the turbidity plume that would unavoidably be generated by the proposed dredging operations. These measures are noted in Chapters 2, 4, and 11 of Volume 4.

**K-055-313**

Thank you for your comment. A number of protective measures and BMPs would be implemented to minimize the distribution of the turbidity

Comments		Response	
<b>K-055-584</b>	Impact on Public Safety Service Population Summary. GDYA has general overview of all youth activities on Guam, therefore, the youth population to be served through its programs and services will exceed 9,263 including the estimated steady state rate of 5,731 going forward, based on the services offered under youth development (leadership activities, prevention and awareness; diversion, 24-hour crisis intervention) and treatment, rehabilitation and aftercare programs. <small>Table 16.3-145</small>	DoD can fund additional correctional staff (YSWs) and professional positions such as social workers, clinicians, medical and prevention personnel for its programs and services which support early childhood, academic, and social development to at-risk children (ages 5 to 12) and implement programs and activities geared toward youth development, prevention/diversion, 24-hour crisis intervention and treatment/rehabilitation/aftercare, including youth who are under continuing jurisdiction of the court (ages 8-21).	
<b>K-055-585</b>	Public Safety Services Staffing Impacts Summary - Youth Service Professionals is 48, corrects to 79 under current staffing numbers; Peak year staffing requirement is 29; Peak year percentage increase is 37%; Steady staffing requirements going forward is 18. GDYA is responsible for the handling and caring of youth referred by GPD, courts of Guam, agencies (Department of Education, Child Protective Services, etc.) including care and custody and rehabilitation of youth adjudicated by the courts of Guam. <small>Table 16.2-16</small>	DoD can fund additional correctional staff (YSWs) and professional positions such as social workers, clinicians, medical, prevention and support personnel. Youth Service personnel is currently at 48 while the reported 79 represented the total number of staff during this reporting period. At present, GDYA's staffing level is at 70 warm bodies. Personnel being requested for peak year staffing requirement exceeds 50; Peak year percentage increase is over 50%; Steady staffing requirements going forward must be maintained after peak staffing requirement for security, supervision and safety of all clientele including services for youth development and other community-based activities. YSWs will also provide services in the community under the Community Corrections Program.	
<b>K-055-586</b>	Current Facilities and Equipment Deficits: GDYA also has crowding issues. The average number for supervision, care and custody of the YCF clientele is 45 but has been exceeding its standard at 70 clients while the CH is 18 clients. To accommodate the influx of military and civilians as a result of the proposed action, new facilities are needed as existing facilities were built in the 1960's, which are severely inadequate for housing Guam's current juvenile clientele population. The YCF (3 units) and CH (2 units) are consistently either at or above capacity with ongoing shortage of personnel as the present staff client ratio is 1:15. Separate and apart from the YCF and CH are the GDYA community-based Resource Centers in Dedado, Toto Gardens and Agat that provide prevention programs, 24-hour crisis intervention and counseling, after school and other educational activities for juvenile clients, at-risk children and youth and the general youth population. <small>Table 16.2-16</small>	DoD can fund the construction of state-of-the-art facilities including an Administration Building, as a result of the proposed actions and impact. GDYA will be responsible for the handling and caring of youth referred by the military, parents/guardians, Guam Police Department's Juvenile Investigations Unit, courts of Guam, agencies/organizations (Department of Education, Child Protective Services, etc.) including the rehabilitation of youth adjudicated by the courts of Guam.	

plume that would be unavoidably generated by the proposed dredging operations. These measures and BMPs are noted in Chapters 2, 4, and 11 of Volume 4. In addition, Volume 9, Appendix D contains additional information regarding dredging techniques and BMPs. Specific protective measures and monitoring requirements would be identified and implemented following agency coordination and permitting. Bubble curtains are among the measures identified in the EIS.

**K-055-314**

Thank you for your comment. The Final EIS contains this information.

**K-055-315**

Thank you for your comment. The EIS includes a discussion on potential beneficial reuse options, as does Volume 9, Appendix D. The discussion addresses the priority to utilize dredged material (DM) for beneficial purpose including such uses as landfill cover, road base, backfill, beach replenishment if suitable, etc. Beneficial reuse is preferred and would be examined on a case-by-case basis. The mentioned operational measures have been considered for the Final EIS.

**K-055-316**

Thank you for your comment. The EIS includes a discussion on potential beneficial reuse options, as does Volume 9, Appendix D. The discussion addresses the priority to utilize dredged material (DM) for beneficial purpose including such uses as landfill cover, road base, backfill, beach replenishment if suitable, etc. Beneficial reuse is preferred and would be examined on a case-by-case basis. Receiver of DM would need to be responsible for disposal or reuse of DM. The upland placement study examined several opportunities for beneficial reuse of DM to include use of DM as landfill cover and to support Port Authority of Guam projects.

K-055-587	2	18	16	2	Current Facilities and Equipment Deficits. The CH (2 units) are consistently at capacity with ongoing shortages of personnel as the present staff client ratio is 1:15.	DoD can conduct a cost-benefit analysis of the relocation of CH to the main compound in Mangilao and fund the construction of a new CH facility at the main compound to accommodate the proposed actions and impact.
K-055-588	9	F	V	E	Summary of Public Agency Service Population. The projected increases in demand for services (unconstrained and constrained) will exceed these estimates as the GDYA has general purview of all youth activities on Guam via its services for youth development (leadership activities, prevention and awareness; diversion, 24-hour crisis intervention) and treatment, rehabilitation and aftercare programs.	DoD can fund additional correctional staff (YSWs) and professional positions such as social workers, clinicians, medical and prevention personnel for its programs and services which support early childhood, academic, and social development to at-risk children (ages 5 to 12) and implements programs and activities geared toward youth development, prevention/diversion, 24-hour crisis intervention and treatment/rehabilitation/aftercare, including youth who are under continuing jurisdiction of the court (ages 8-21).
K-055-589	9	F	V	E	Summary of Public Service Agency Key Staffing Requirements - 44% increase at peak, dropping to at most 17% increase for the steady-state operational component. GDYA is responsible for implementing youth programs and handling and caring of youth referred by GPD, courts of Guam, agencies (Department of Education, Child Protective Services, etc.) including care and custody and rehabilitation of youth adjudicated by the courts of Guam.	DoD can fund additional correctional staff (YSWs) and professional positions such as social workers, clinicians, medical and prevention personnel as the estimated request at peak for additional personnel is at 50% based on the anticipated number of youths to be served as a result of the buildup and thereafter.
K-055-590	9	F	V	E	3.4.3.4 Guam Department of Youth Affairs, corrects to add on "Vocational Rehabilitation and Support Services VRSS provides fiscal, financial and budgetary accountability for the local appropriations and all federal grants, administers the Auxiliary Fund and Petty Cash Fund including payroll, property inventory, procurement services, culinary, maintenance and vocational skills training to eligible clients."	
K-055-591	9	F	4	4	Overview of GovGuam Agency Staffing and Facility Capacities - Summary of Agency Survey Comments on Existing Facility and Staffing Challenges: Staffing Problems, corrects to "No funds to fill vacancies of Youth Service Workers, Social Workers, Program Coordinators, Clerical and Administrative staff."	DoD can fund additional positions to assist with the significant impact of the proposed action as staffing shortages exist in all divisions.

**K-055-317**

Thank you for your comment. The EIS has been revised as such.

**K-055-318**

Thank you for your comment. Your reference to page numbers do not correspond to the DEIS page numbers and therefore it is difficult to know the specific language you are referring to. The proposed project would not result in clearing or significant impacts to any mangrove areas.

**K-055-319**

Thank you for your comment. Discussion will be added about spills during typhoons.

**K-055-320**

Thank you for your comment. As pointed out in the discussion of all reports discussing indirect effects, it is clear that the study area is routinely subjected to high levels of sediment stress, and hence all inhabitants must be pre-adapted to such conditions.

Quantitative Fish survey data collected is included in the FEIS. No identification of rare or unique species from this survey or others from the resource agencies has been produced. The "spring surveys" data that are included for the revised Habitat Equivalency Analysis and the FEIS is not intended to be an "exhaustive species list", and as a result it is possible that there will be rare and/or small species that will not be accounted for by the methods used. Unless these species have been identified as a legally recognized special status species, they are afforded no additional level of protection or consideration than other species in that area. The Navy will continue to work with the USACE and EPA/GEPA and do whatever is necessary to satisfy the requirements of Section 10/404 and Section 401 permit documentation.

K-055-591	B	F	4.4.4	Table 4.4.4-50 Table 4.4.4-59	Impact on Public Safety Service Population Summary (Unconstrained) and Public Safety Services Staffing Impacts Summary (Unconstrained). GDYA provides 24-hour care and custody in the YCF and CH as well as services to the general youth population, families and at-risk children and youth. It is imperative for the continuity of care in the community, therefore staffing must remain consistent beyond the peak years.	DoD can fund additional positions to assist with the significant impact of the proposed action as staffing shortages exist in all divisions.
	B	F	4.4.4	Table 4.4.4-50 Table 4.4.4-59	Impact on Public Safety Service Population Summary (Constrained). GDYA provides 24-hour care and custody in the YCF and CH as well as services to the general youth population, families and at-risk children and youth. It is imperative for the continuity of care in the community, therefore staffing must remain consistent beyond the peak years.	DoD can fund additional positions to assist with the significant impact of the proposed action as staffing shortages exist in all divisions.
K-055-592	B	F	4.4.4	Table 4.4.4-60	Impact on GDYA Service Population (Constrained). The GDYA service population is ages 5 to 21. It provides services that support early childhood, academic, and social development to at-risk children (ages 5 to 12), programs and activities geared toward youth development, prevention/diversion, 24-hour crisis intervention and treatment/rehabilitation/aftercare, including youth who are under continuing jurisdiction of the court (ages 8-21).	DoD can fund additional positions, new buildings and equipment to assist with the significant impact of the proposed action.
K-055-593	B	F	4.4.4	Table 4.4.4-69	Public Safety Services Staffing Impacts Summary (Constrained). Youth Service Professionals, corrects to 48. GDYA provides 24-hour care and custody in the YCF and CH as well as services to the general youth population, families and at-risk children and youth. It is imperative for the continuity of care in the community, therefore staffing must remain consistent beyond the peak years and exceeds the estimates listed in Table 4.4-69 (peak year staffing requirement is 25, peak year percentage increase is 32% and steady staffing requirements going forward is 19).	DoD can fund additional positions to assist with the significant impact of the proposed action as staffing shortages exist in all divisions. Youth Service personnel is currently at 48 while the 79 represents the total number of GDYA staff during this reporting period. At present, the staffing level is at 70 warm bodies. Personnel being requested for peak year staffing requirement exceeds 50; Peak year percentage increase is over 50%; Steady staffing requirements going forward must be maintained after peak staffing requirement for security, supervision and safety of all clientele including services for youth development and other community-based activities. YSWs will also provide services in the community under the Community Corrections Program via the GDYA Resource Centers.

### K-055-321

Thank you for your comment.

1. Quantitative Fish survey data collected is included in the FEIS. Data are from a University of Guam study which is summarized, but the report is included in Volume 9, Appendix J of the FEIS. No identification of rare or unique species from this survey or others from the resource agencies has been produced. No level of detail or number of replicates in a survey leads to an exhaustive list of species, only those encountered during the surveys. Night time surveys, although could be marginally informative, would likely result in discounting species that may be present, but either avoided survey gear or simply were not sighted or captured (depending on survey methodology).

4

As described in the FEIS, direct and indirect impacts to fishes are expected from the proposed action; the majority of impacts would be short-term, as fish are mobile and those not directly harmed would likely relocate.

The Navy will continue to work with the USACE and EPA/GEPA and do whatever is necessary to satisfy the requirements of Section 10/404 and Section 401 permit documentation.

2. The EFH assessment for Alternative 1 in the FEIS includes a description of potential short-term seasonal impacts to potentially spawning scalloped hammerhead sharks, planktonic forms of FEP species, and high concentrations of adult bigeye scad in Volume 2 and 4, Chapter 11.

As these species are not federally protected, they are not further considered beyond general descriptions in the EFH assessment.

### K-055-322

Thank you for your comment. Habitat assessment methodologies which evaluate the function of affected aquatic resources, such as coral reef

<b>K-055-594</b> <small>9 F 4-4 173</small>	Additional GDYA Youth Service Professionals Required. GDYA provides 24-hour security, supervision and care and custody of clientele in the YCF and CH.	DoD can fund additional Youth Service professionals. The anticipation of the military and civilian influx warrants the need for additional personnel as GDYA's current YSW staffing level is currently at 43 while the existing 7 vacancies are unable to be filled because of lack of funding. The proposed actions and impact would require an additional 25 YSWs. Critical to the rehabilitation and treatment of clients are other professional and supportive staff (social workers, clinicians, medical, program and clerical).
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ecosystems, are an evolving science and the adequacies of existing and new methodologies are heavily debated in the scientific community. Ideally, a standard assessment technique that accurately characterizes and quantifies losses and gains of coral reef ecosystem functions would be used. However, rulemaking for the Compensatory Mitigation Rule recognizes the wide variety of aquatic resources present in the United States and the evolving nature of science regarding aquatic ecosystem restoration make the establishment of standard assessment methodologies impracticable. The assessment for this EIS used an historically approved methodology (percent coral cover), supplemented by other methods such as the use of Light Detection and Ranging (LIDAR) satellite photos, for quantifying impacts to affected coral reef ecosystems impacted by the proposed transient CVN wharf and associated dredging. DoD believes that use of the percent coral cover methodology, supplemented by use of LIDAR satellite photos, is the "best currently available science" to attempt to capture the thousands of elements that comprise the function of a coral reef ecosystem. DoD's assessment is currently under review by the US Army Corps of Engineers, the agency charged with implementing dredge and fill permits under CWA Section 404, and other Federal agencies. The FEIS will be updated to reflect the latest developments in this review.

**K-055-323**

Thank you for your comment. Text was modified with correct spelling.

**K-055-324**

Thank you for your comment. Please see response to K-055-322.

**K-055-325**

Thank you for your comment. This comment was addressed in the PDEIS.

		Com	ES	Comment
K-055-595	1	16	12	"As of the 2000 Census there were approximately 48,000 housing units on Guam". Current housing stock is 57,673 (Guam Comprehensive Housing Study 2009), a 9,673 difference in the number of units. The DEIS is using dated information that will understate findings. Recommend that housing data should be updated in the FEIS utilizing the Guam Comprehensive Housing Study 2009.
K-055-596	2	16	57	"During the operational phase, all marines and their dependents will be housed on base."; Is this a realistic evaluation by the military ? Historic data indicates 20 - 24% military personnel opt for off-base housing. If this holds true, an additional 1,600 housing units are needed in housing stock for off-base housing. Otherwise, a strict mandate for military personnel should be enforced to reside on-base during the first 4 years (2010 - 2014) of the military relocation and then rescinded after the post-construction phase (2015 - 2020) when a housing surplus is projected.
K-055-597	3	16	58	"Civilian housing demand and supply impacts were found to be significant"; No mitigation recommended or stated to address the civilian housing deficit. Housing market forces will not respond appropriately to civilian housing demand. This is a "Significant impact" that the DEIS is deafeningly silent. It is a major concern that DoD has no mitigation response or recommendations for this "significant impact" not to be addressed by the proponents of these actions. We request DoD to provide information and data on similar proposed actions by the U.S. Military, and successful mitigation alternatives that are not addressed in the DEIS.
K-055-598	4	16	16. 2 -24	"9,431 units needed by 2014 . 2,959 by 2020. (Unconstrained) compared to Vol. 9, Appendix F - SIAS page 6 Executive Summary indicates 11,893 units needed. 3,205 by 2020." These discrepancies appear throughout the document. Recommend that housing data should be updated in the FEIS utilizing the Guam Comprehensive Housing Study 2009.
	5	ES	ES-6 Tbl. ES-2	2014 - 16,988 indirect/induced off-island workers (non-DoD). With the DEIS indicating that housing units needed are either 9,431 or 11,893 (SIAS) respectively, the number of units should reflect a similar amount of units needed by the immigrating off-island workers who will be seeking civilian housing units.

### K-055-326

Thank you for your comment. Habitat assessment methodologies which evaluate the function of affected aquatic resources, such as coral reef ecosystems, are an evolving science and the adequacies of existing and new methodologies are heavily debated in the scientific community. Ideally, a standard assessment technique that accurately characterizes and quantifies losses and gains of coral reef ecosystem functions would be used. However, rulemaking for the Compensatory Mitigation Rule recognizes the wide variety of aquatic resources present in the United States and the evolving nature of science regarding aquatic ecosystem restoration make the establishment of standard assessment methodologies impracticable. The assessment for this EIS used an historically approved methodology (percent coral cover), supplemented by other methods such as the use of Light Detection and Ranging (LIDAR) satellite photos, for quantifying impacts to affected coral reef ecosystems impacted by the proposed transient CVN wharf and associated dredging. DoD believes that use of the percent coral cover methodology, supplemented by use of LIDAR satellite photos, is the "best currently available science" to attempt to capture the thousands of elements that comprise the function of a coral reef ecosystem. DoD's assessment is currently under review by the US Army Corps of Engineers, the agency charged with implementing dredge and fill permits under CWA Section 404, and other Federal agencies. The FEIS will be updated to reflect the latest developments in this review.

### K-055-327

Thank you for your comment. Regarding whether there are enough resources on Guam to handle significant increase in the disposal of hazardous substances, a parallel Draft Joint Military Master Plan Document dated 28 January 2010 provides specific details regarding several new facilities (e.g., operations and maintenance facilities, bilge and oily wastewater pump station, fuel storage areas, POL storage areas, warehousing facilities, munitions magazine storage facilities,

Id	Topic	Page	Section	Comments
K-055-599	16	57		"During the operational phase, all marines and their dependents will be housed on base." - Is this an accurate statement being made by the Military and DoD? While I was living in Hawaii, I experienced rental increases from \$800 to \$1,400 a month, due to military personnel using their housing allowances to rent off base. This forced me to move and rent a unit owned by my relative. If it wasn't for my relative, I would be homeless. The military needs to verify and confirm that all military personnel will be required to reside on base housing, otherwise, Guam residence will experience the same situation and will not be able to afford to rent a housing unit.
K-055-600	4	22		"DoD would rely on construction contractors, who have significant expertise in areas of workforce housing and logistics, to support temporary foreign worker housing requirements." - Adequate funding for DoD contractors should be provided by DoD to incorporate cost for workforce housing. Additionally, developers of workforce housing and the accompanying facilities must provide competitive and affordable pricing to the DoD contractors to house H2B workers. Otherwise, alternative options (i.e., apartment units & complexes / housing rentals) will be considered by the DoD contractor, which will aggravate a stressed housing supply shortage.
K-055-601	App. F, Ch.4	20		"It is unlikely that construction of new housing will fully respond to the demand to eliminate the housing deficit." - This statement reflects a major concern regarding the proposed actions on the DEIS. A housing shortage is forecasted during the first 4 years of the proposed actions (2010 - 2014). This will have a dramatic effect on affordable housing, low income families, and the recipients of the services our agency provides. "The unmet demand, even among GHURA's low and moderate-income families will be very high during the buildup phase as new residents arrive and vie for housing at the lower and middle levels of the market" (Guam Comprehensive Housing Study 2009 - page 58) We recommend the timelines of the proposed actions be extended to an additional (4) years to allow market forces to react accordingly with gradual and sustained development.

hazardous waste storage facilities, waste storage facilities, Hazmat storage, etc.). These new facilities will be required to store, handle, and dispose of the estimated increases in hazardous substances that would occur from the potential DoD unit transfers to Guam. This Master Plan is currently not available for public distribution, but rather is currently for "official use only". However, at a later point in time, this Master Plan will be released for review and specific information regarding new facilities for the handling of hazardous substances will be available.

**K-055-328**

Thank you for your comment. A traffic management plan could include use of buses for transporting workers from workforce housing to the development site and establishing work hours that do not coincide with normal peak travel times. The traffic management plan elements can be implemented by specifications in military contracts that require workers to be housed in community work force housing, and driven to the development sites in buses, during non-peak hours.

**K-055-329**

Thank you for your comment. The conceptual design of the USMC water system addresses fire demands. Fire protection demand includes water required for maintaining the fire protection system within the facility and is designed based on the criteria outlined under the Military Handbook Fire Protection for Facilities Engineering, Design, and Construction (MIL HDBK 1008C [DoD 1994]). Requirements for fire protection water storage are based on the assumption that there would be only one fire at a time. The quantity of water required is equal to the product of the fire protection water demand and the required duration, and must be available at all times. Water supply for the domestic, industrial, and other demands is added to these requirements to determine the total amount of water required in the facility. The fire flow requirements under MIL HDBK 1008C (DoD 1994) vary greatly based on hazard classification of

Response No.	App.	Line Item	Comments
K-055-602	App. F; Ch.4	21	"If sufficient housing is not supplied, this could lead to: Crowding of housing (more persons per unit); Construction of illegal (non-permitted) housing; illegal rentals; Homelessness. - As indicated in the SIAS (Vol.IX; App.F; Chpt. 4; pg. 20), sufficient housing will be not be supplied, therefore the aforementioned conditions will be in place. We request DoD to support our efforts for additional funding from HUD to provide for community development projects and affordable housing programs to prepare for effects the proposed actions of the military relocation and buildup will bring to the region in relation to the socioeconomic impacts and housing.
	App. F; Ch.4	20	"During the construction period, since large amounts of materials will be used for military base construction, building materials for other projects such as civilian housing will be in short supply." "Labor supply is also expected to be an issue. The requirement for construction workers to build civilian housing is an increment above and beyond labor demands." - The cost to build, purchase, or rent housing units will dramatically increase due to unmet demand in housing stock. Additionally, competition between contractors to hire and/or retain a workforce as well as a shortage in raw building materials (i.e., aggregate, cement, etc....) will contribute to cost increases. Low to moderate-income families will not be able to afford to build, purchase, or rent a home. Timelines expressed on the proposed actions should be reconsidered and adjusted to alleviate the stress caused by a compressed (4) year buildup/construction period (2010 - 2014). An additional 3 to 4 years for the proposed buildup will reduce the immediate need for civilian housing, the availability of a large, skilled, labor force as well as raw building materials. The housing market will also respond and adjust accordingly with gradual and sustained development.
K-055-603	App. F; Ch.4	11	"The average FTE salary for jobs related to the military operation phase (\$40,000) can be compared to the 2007 Guam FTE salary of \$28,150." - The difference in FTE salary in civilian military jobs compared to Guam FTE will cause a migration of employees from local employment to civil service employment. The DEIS indicates Guam residents to capture approximately 3200 - 2700 (unconstrained scenario) civil service jobs during and after the construction phase. The Government of Guam as well as local employers are expected to realize a loss in skilled, qualified workforce to civil service employment.

the activity in the facility.

Industrial demands are included in the DoD water demand estimates.

Industrial uses include air conditioning, irrigation, swimming pools, shops, laundries, dining, processing, flushing, boiler makeup water, and power generation. Water for construction of the facility is included in the off base, GWA water demands.

The per capita requirement for transients of 70 gpcd is based on the hotel domestic water allowance from Table 2-1 UFC 3-230-03A 16 January 2004 for Water Supply (DoD 2004a). When on-base, the transients would be housed in officers or enlisted quarters, which would not require all of the water demands of a home (e.g., household lawn irrigation).

Visiting ships docked at Apra Harbor which house the 7,222 transients would be connected to the NIW water system for potable water. Estimated potable water requirements are included in the domestic demand based on UFC 4â€‘150-02 (DoD 2003).

### K-055-330

Thank you for your comment. The off base populations are based on the unconstrained scenario described in Appendix F of the DEIS which is a maximum impact approach. No constraints in the Guam and CNMI environment are considered that might lessen the indirect economic growth potential resulting from the proposed action. The populations used in to estimate off base water demands represent the maximum growth that is likely to occur.

Water demand for tourists is included in the current GWA water production value that is used as the current demand, but it is assumed that the number of tourists does not increase over baseline levels.

### K-055-331

Thank you for your comment. In Volume 6, Chapter 2 of the FEIS, DoD

No.	Vol.	Page	Date	Comments	
K-055-604	1	16	13	16. 1-16	"2000 Census Housing Characteristics for Guam by Municipalities and Region." - This military buildup on Guam will bring both negative and positive socioeconomic impacts not only for Guam, but also for its small neighboring Island nations, hence, a very careful planning process is in high demand. I agree with those requesting the push back of reviewing / commenting period of the EIS/OEIS documents. I would also want the the leaders to make a case for Guam to rush up the result of the needed housing and population information from the 2010 Housing & Population Census to be used to replace the 10 years old information used in the EIS/OEIS documents. The 2010 Census information must establish a yearly update on needed housing characteristics and other socioeconomic information to regularly monitor this military buildup move for daily/timely decision, policy making and planning process.
	12				

considered rehabilitation of Tumon Maui and Marbo #2 wells as an option, but was not carried forward for additional analysis to support DoD water needs for several reasons. Successful rehabilitation or replacement of the inactive wells would result in approximately an additional 4 MGd if adequate yield in the aquifers were available. However, rehabilitation of the Airforce's Tumon Maui and Marbo #2 wells was eliminated because the Yigo subbasin does not have sufficient available yield to meet both GWA and DoD needs. The DoD will support, however, efforts to consider rehabilitating these wells to support off base GWA water demands related to the Marine Corps relocation depending on need, regulatory approval, and aquifer yield. Preliminary review indicates that there is adequate available yield in the subbasins to support some level of withdrawal that could assist GWA. Coordination with GWA would be needed to avoid negative effects caused by over pumping.

**K-055-332**

Thank you for your comment. The Guam Waterworks Authority (GWA) and DoD are cooperatively working together to plan for the expected increase in population on Guam. DoD has agreed to drill the 22 new DoD water supply wells early, and provide this water to GWA, along with excess water from DoD's Fena Reservoir and other current sources, to meet the near-term increase in water demand that is expected to occur off-base during the construction phase of the buildup. During this time, GWA would begin to drill new wells of their own and make improvements to their system to meet the long-term water needs of off-base communities.

**K-055-333**

Thank you for your comment. The revised GWA water demand estimates are based on the current water production plus an estimated water demand for baseline growth and USMC relocation related populations. Water demand for tourists is included in the current GWA

				Comment		Recommendation/Mitigation/Proposed Solution	
K-055-605		2			There is no consideration or impact assessment regarding how the military build-up may impact the Over-the-Air and specifically new digital broadcasting technology (Barrigada facility and Mangilao facility)		The military (DOD) shall conduct a study to assess any impacts the military buildup may have on the over-the-air quality of transmission, which may affect the community's access to public television and important public safety alerts.
	2		2		The transition to Digital Transmission is resulting in the increased demand for more quality programming that are proven highly educational, informational and inspirational. (PBS GUAM continues to receive requests for more national programs that our station does not subscribe to, which means additional costs); Many of the military personnel are very familiar with national public TV broadcasts (such as NDVA, FRONTLINE, NATURE, SESAME STREET, etc.), so they are a large customer base. Also there is increased demand for more local programs that meet stringent PBS standards, especially at it builds more current local programs that will help build cohesion among Guam's local and military citizens. (PBS GUAM does not have the funding to accommodate the growth needed in the production and technical departments.)		The military (DOD) shall help fund and support a local Guam study to assess any impacts the military buildup may have on the over-the-air quality of transmission, which may affect the community's access to public television and important public safety alerts. The military (DOD) shall provide funding support of local and national PBS and other public television programs to serve the quality educational needs of their military personnel, families and growing population of local citizens as a result of the military build-up. The military (DOD) shall also support public television as it serves both military and civilian families by funding partnerships between PBS GUAM and military educational institutions (i.e. DODEA, military libraries, and daycare centers).

water production value that is used as the current demand, but it is assumed that the number of tourists does not increase over baseline levels. The Final EIS GWA water supply estimates account for a 2 MGD reduction in the production for several wells in the Agana subbasin which have consistently elevated chloride levels.

The GWA water supply does not currently have adequate capacity to meet off base demand resulting from the Marine Corps relocation. DoD proposes to help mitigate the off base water shortfall by providing excess water capacity to GWA from its existing system and from the early installation of DoD wells. The DoD expects that GWA or the developer requesting additional water would install the necessary piping to make the interconnections with DoD water systems. A Memorandum of Understanding is being developed between DoD and GWA that will address procedures to cooperate in the overall management of the Northern Guam Lens Aquifer, the source of water for the new DoD wells. In addition, it is expected that a Customer Service Agreement (CSA) will be created to address the exchange of water between NAVFAC MAR and GWA. It is presumed that the best potential sites for future wells in the NGLA are located beneath DoD lands and meeting future water demands on Guam will require utilizing water resources under DoD land for the benefit of all of Guam.

**K-055-334**

Thank you for your comment. These long term alternatives would not be able to be implemented in time or with adequate impact to support the schedule of the proposed DoD buildup. Thus they will remain long-term alternatives. Additionally, the Northern Guam Lens Aquifer has a sustainable yield that can support the water demands during the construction phase of the buildup, and long-term island-wide demands.

**K-055-335**

Thank you for your comment. The NDWWTP was analyzed based on

				Comment	Information/Action/Proposed Solution
K-055-606		2	16	37	<p>There is a lack of inclusion of public television to address communication and broadcasting needs. More importantly, communication is not properly planned to address community engagement as pointed out in Vol. 2, Chapter 16. For instance, the DEIS reflects that "When overseas bases are placed in areas culturally different from the majority of military personnel, there often exists a feeling of disconnect between incoming military personnel's culture and customs and that of the local population. On Guam, discussions on this often involve the concept of military personnel's respect for Guam's people. There is no clear evidence that this feeling is any more or less pronounced on Guam than elsewhere. However, the most common suggestion for the military in conducting the proposed action was better communication (GUAM 2008)."</p>
	4	2	16	101	
	5	2	16		

maximum flows. The demand projections are based on peak flows. The peak flows are determined using the peaking factor discussed in GWA Water Resources Master Plan. The peaks flow includes I/I flows. The impact due to I&I flows should be addressed by GWA. Our understanding is that GWA is implementing a program to reduce I&I flows.

**K-055-336**

Thank you for your comment. The distinction between BMPs and proposed mitigation measures has been clarified in the FEIS. BMPs are existing requirements that are part of the proposed action. Mitigation measures are additional measures proposed for implementation to avoid or reduce impacts identified during the NEPA environmental review process. The adaptive program management mitigation measure proposed in the FEIS has been revised to identify how reduction in construction tempo would benefit infrastructure and other environmental resources (Volume 7, Chapter 2).

**K-055-337**

Thank you for your comment. The DoD shares your concern for the northern Guam lens aquifer and intends to carefully access these groundwater supplies. Up to 22 new water supply wells are proposed to provide additional capacity for the DoD water system. These wells would be installed in Northern Guam and extract potable water from the northern Guam lens aquifer. Operations at Fena Reservoir would not be modified at this time. The estimated sustainable yield from the northern Guam lens aquifer is estimated at approximately 80 million gallons per day. Sustainable yield means the amount of potable water that can continuously be withdrawn from the aquifer without degrading water quality or the production of the extraction wells. The estimated total average daily water demand from this aquifer is 63 million gallons per day at the peak of construction of the proposed DoD relocation, including civilian demand. Thus there should be an adequate supply of potable

Issue ID	Section	Table	Page	Comment
<b>K-055-607</b>	ES	ES-7 Tbl ES-2		This table itself will illustrate or provide the information needed to justify the immediate need to meet current manpower and equipment needs and facility upgrades as well as the expansion of no less than three more Fire Station packages that include Structural Pumps, Ambulances, Rescue Units and other response type units with the proper manning and training.
<b>K-055-608</b>		16-26		All synopsis for GFD's current status fails to state that current manpower and equipment is insufficient to meet our current mission requirements. We are in need to hire 90 plus personnel, trained and equipped as well as the need to replace an aging fleet.
<b>K-055-609</b>	2	16-77 Tbl 16.2-43		Assumed value should account for what is required and/or desired to provide for current population. Although our current physical manning is at 190, the assumed value should be based on a value of 300 personnel to meet current needs prior to military build up placing the ratio at 1 : 564.
	2	16-78 Tbl 16.2-46		Numbers should reflect above item 3.
	2,4,5,6,7 & 9			Using the above recommendations, the DEIS should adjust all numbers throughout this document to reflect changes. It must also be stated that unlike other jurisdictions, Guam's closest U.S. assets are the CNMI and Hawaii with a minimum 48-72 hour string to assist in any major event. GFD's assessment through the submitted master plan recommends three additional stations to meet the 2034 peak increase as well as the steady state requirement going forth. Military fire assets should also consider increasing services to assist outside the gates.

water. DoD and Guam Waterworks Authority plan to jointly manage the extraction of water. Also DoD is an advocate for grants and low cost loans to Guam Waterworks Authority so they can improve their distribution system and reduce water loss due to leaks. Monitoring would be conducted during well operation. If production or water quality declines over time, DoD would take appropriate response actions.

### K-055-338

Thank you for your comment. DoD was required to determine whether military relocation requirements could be met by excess, underutilized or otherwise available property held by DoD on Guam. Early development plans attempted to keep all activities on existing DoD lands. However, as discussed in the FEIS (Volume 2, Chapter 2), after applying operational and environmental screening criteria, no contiguous DoD area on Guam was identified that could support all the land use and operational requirements of the action.

Land acquisition, potentially including Former FAA, is required to meet the purpose and need of the proposed action. New access restrictions will result from land acquisition. Release of federal lands is not proposed. The land use on DoD property may not match GovGuam surrounding land use, but it is generally compatible with surrounding land uses. Additional restrictions on Outer Apra Harbor submerged lands use were not identified, except during dredging activities there will be more boat traffic and the aircraft carrier would be visiting more often than the current tempo.

Volume 4, Chapter 16 of the FEIS acknowledges that there could be impacts to ocean based tourism within Apra Harbor including diving. However, economic impacts to tourism would be somewhat offset by increased tourism from military personnel.

			Comments	Response
<b>K-055-610</b>		4.4	When commenting on public health issues, the DEIS deals only with treatment aspects of public health (notifiable diseases) and speaks little to nothing of the necessity to address prevention efforts such as obesity reduction, smoking cessation and early prenatal care. Nor does it address the attention which needs to be devoted to environmental intervention (e.g., safe places to exercise, youth programs, accessibility to nutritious foods across all socio-economic groups, etc.), without which health improvement impacting the entire population will not take place. When speaking of health care providers, it mentions only physicians and nurses and does not address the necessity of increased infrastructure with all the other allied health professionals and the need for health planning consultation to address the population's health care holistically. Overall the DEIS needs to incorporate the things listed above.	
	2	16	30-24	
			While giving a small mention (i.e., to prevention) to the role of Health and Human Services in "treatment and prevention (page 20 of Chapter 16)" in an introductory statement, the DEIS proceeds to speak almost exclusively of the treatment aspects of health care. It is interesting that of all the Bureaus within DPHSS, it mentions only those who have a major role in the treatment of disease: Primary Care Services, Communicable Disease Control and Nursing Services. With a few exceptions, it comments primarily on the services within these bureaus which deal with treatment to the exclusion of prevention. It makes no mention of the coverage areas of the Bureau of Nutrition or Professional Support Services whose public charge deals primarily with prevention efforts to provide individual and population-based health education, environmental health planning approaches and allied health professional support and consultation in the areas of Nutrition, Physical Activity, Cancer, Heart Disease, Stroke, Diabetes and Maternal and Child Health. An Environmental Impact Statement, tends to speak to where available health resources should be devoted (whether explicitly or implicitly). Given this, I am concerned at what seems to be a disproportionate amount of focus on treatment, with little regard to prevention. The DEIS needs to incorporate the present status and future need of increased educational, environmental, population-based health planning and increased allied health professional support to address the issues of military expansion in Guam.	
<b>K-055-611</b>		2.5	No address of housing facilities for construction workers; how will these workers be fully accounted for during their stay on Guam?	
<b>K-055-612</b>		2.8	No address of providing noise reduction renovations to existing residents' home within the air traffic radius.	
<b>K-055-613</b>		2.8	No address of number of child care facilities to be build and operated within base. Need to ensure population to be relocated to Guam accommodated with sufficient services.	

### K-055-339

Thank you for your comment. Alternative 1 is not the preferred alternative. Other than providing access to the property, no mitigation is proposed.

### K-055-340

Thank you for your comment. The impact to the GLUP77 parcel and the creation of a "pocket" of non-federal land is described in Volume 2, Chapter 8 under Alternative 1 for main cantonment. Under Alternative 1 for main cantonment, access will be provided to the GLUP77 parcel. Alternative 2 is the preferred alternative main cantonment and would not result in pockets of non-federal land creation. No mitigation is warranted.

### K-055-341

Thank you for your comment. DoD understands and recognizes the significance of cultural and recreational sites located on DoD property in Guam. Restricting access to certain DoD areas at certain times is required to maintain public safety. It is the intent of DoD to maintain public access to DoD lands that contain cultural sites consistent with safety and operational requirements. Access will be granted at approved times such as when the lands are not being used for military training. Final plans concerning access to sites potentially impacted by the proposed action have not been developed. DoD looks forward to working with stakeholders to develop plans for cultural stewardship and access that balances operational needs, public safety concerns, and the continuing public use and enjoyment of these sites.

### K-055-342

Thank you for your comment. The Proposed Action would result in the acquisition of lands on the east side of Guam near Route 15 and the existing Andersen Air Force Base South property and the construction of

			Comment	Response
K-055-614	1	2.14	Should address a second hospital to accommodate influx of population. DEIS stated that "construction of a new hospital were underway prior to the proposed Marine Corps relocation and are not included in the BISOEIS." This needs to be addressed because local hospital not able to handle influx in the event existing Navy Hospital overflows.	
K-055-615		1.14	No address if construction workers will be allowed to be treated in military hospital or clinics. If not allowed, local hospital and community clinics may not be able to accommodate influx.	
K-055-616		1.14	No address of social impact on community. How is teenage pregnancy to be prevented. Are the construction workers to be restricted within construction compound only? If not, is Guam's legal and police department to absorb criminal charges/cases?	
K-055-617		2.24	Regarding the climate-controlled, earth-covered magazines proposed on Anderson AFB, note that all the island's water lens are located on the Northern part of the island, what is plan to preserve water lens?	
K-055-618		2.27	No address about the availability or the lack of land for roadway expansion i.e., increasing roadway capacity.	
K-055-619		2.28	With construction phase, no mention on impact of residents existing close by construction areas, would the residents be accommodated for the noise, dust, loss of privacy due to clearing, etc...	
K-055-620		2.30	Is construction of new facilities to benefit non-military community also? Should be addressed.	
K-055-621	1	3.20	There appears to be a dominant take over of land i.e., land required for the headquarters/housing/training, munitions storage, stockpiles, roadways, base etc.. Leaves no land for the island people. Guam appears to be becoming a base island and no longer a preserved island for the Chamorro people.	
K-055-622		23	No mention of the Bureau of Management Support under the Division of Public Welfare. No mention of the programs and services provided by the division.	
K-055-623		54	Who will regulate the contractors to ensure that H-2B workers are provided a safe and sanitary housing?	
K-055-624		56	Even if contractors build their own clinic, where are the medical staff to come from?	
K-055-625		55	Who would be responsible to ensure that there will be a health screening of all workers? Where is this to be done?	
K-055-626		78	Peak Year additional staffing requirements may not be available with the required skills sets.	
K-055-627		3-11	No mention of the Bureau of Management Support under the Division of Public Welfare.	
K-055-628			Analysis restricted to assumptions and estimates. No true value to estimations provided.	

a live fire training range complex on the site. The lands consist of Government of Guam controlled parcels as well as a few privately owned parcels. The Government of Guam parcels are held by two entities, the Chamorro Land Trust and the Ancestral Lands Commission. These entities manage certain Government of Guam land holdings to support native Chamorro interests and compensate land owners for lands currently controlled by the federal government.

In the northern most parcel, under the control of the Chamorro Land Trust, there exists the Guam International Raceway. This entity, which is a non-profit organization, operates a raceway complex consisting of a drag strip and various motorcycle and off-road vehicle courses pursuant to a 20 year license with the Chamorro Land Trust. These recreational facilities satisfy a significant component of the public demand for racing as well as accommodating periodic police vehicle training. The license is set to expire in 2018. Under the terms of the license the Guam International Raceway is able to remove aggregate mined from the site to improve its operations, but at the option of the Chamorro Land Trust must return the property in "pristine" condition upon the termination of the license. The license clearly states that the Guam International Raceway has no interest in the underlying property pursuant to its license. Further, there is no right to renew the license.

Should DoD decide to acquire land for the Route 15 training range complex, an offer of just compensation would be made to the owners of the property, including the lands held by the Chamorro Land Trust. The just compensation offer would be at the full fair market value of the property, based upon an appraisal of the property and its highest and best use. Since DoD would acquire the property from the fee owners, any compensation to the operators of the Guam International Raceway would be a matter to be determined between the current land owner, the Chamorro Land Trust, and the tenant, the Guam International Raceway.

		Statement	Response
<b>K-055-629</b>	4-11	"Contract provision would also include requirements to provide workforce medical, dining, transportation and safety/security" No mention of assurances that Guam community to be responsible to provide such needed services.	
<b>K-055-630</b>		Assumption of military schooling on base to benefit Guam economy, however, spending in base does not affect community market.	
<b>K-055-631</b>		"No current shortage" statement for GD/PHSS with staffing in an incorrect statement.	
		Is it expected that the Guam community will be responsible for the increase of Public Safety Services?	
	4	Increase in overall crime is a serious impact expected. To say that there would be little impact on overall crime rate is an understatement.	
	4	Domestic violence is a serious impact expected and the Guam community may not be able to handle the numbers and crime.	
<b>K-055-633</b>		Is DoD going to provide shelter and services for the victims of abuse/family violence. If yes, are shelter and services to be extended to the construction workers and their families?	
<b>K-055-634</b>		Is DoD going to provide shelter, food and medical assistance to the construction workers and their families?	
<b>K-055-635</b>		What is DoD's plan to prevent teenage pregnancy? Would services and medical assistance would be provided to the pregnant teenager and child?	
		The DEIS indicates that impacts to Guam's overall household composition will be fairly negligible. With the number of the military personnel plus their families coming to Guam, this statement is incorrect. The military households per household size maybe lower than average Guam households, however, the number of military households coming to Guam are significant which will impact the number of population on Guam. The DEIS only 1.1% of military households lived below the poverty line. Thus, Guam's overall poverty rate will be lowered. Most of the military household lived above the poverty line since most of them are two-parent working households. If these military household will come to Guam, the population of Guam will have to compete for jobs against military families, thereby, making Guam's population living below poverty line.	
<b>K-055-636</b>	4-12 to 4-23	For Housing, the military is likely to secure on-installation housing for active personnel and dependents, in addition to military bns. Demands will be placed on the outside once again acquiring use of civilian housing which may be impacted by both temporary bns. This will cause a departure leaving behind housing that will be vacated. In addition, some structures may be spent on building between both the military and civilian demand, thereby competing for materials which may not be available on island. This will exhaust supply for the community's needs.	

In the event DoD acquires the land, the Guam International Raceway would have to decide whether to continue operation in another location. If it chose to continue operations it may be eligible for relocation assistance from DoD pursuant to the Uniform Assistance and Real Property Acquisition Polices Act of 1970. If eligible, DoD would provide relocation assistance in the form of advisory services, and some specific financial assistance related to a move, but would not be responsible for the physical relocation of the operations of the Guam International Raceway.

As to possible sites for the relocation of the Guam International Raceway, such actions would be under the control of Government of Guam officials as they are responsible for non-federal land use decisions on Guam. Given that a raceway complex is an industrial activity, it is most likely that any siting of a future raceway complex will be on lands zoned for such industrial activities and not within lands deemed recovery habitat for ESA listed species. Should the Guam International Raceway decide to continue operations and be eligible for relocation assistance from DoD, DoD will work with Government of Guam land use and natural resource officials to ensure that habitat concerns for ESA listed species are taken into account in any relocation effort.

**K-055-343**

Thank you for your comment. Your concerns are assessed in the EIS as potential impacts.

**K-055-344**

Thank you for your comment. DoD was required to determine whether military relocation requirements could be met by excess, underutilized or otherwise available property held by DoD on Guam. Early development plans attempted to keep all activities on existing DoD lands. However, as discussed in the FEIS (Volume 2, Chapter 2), after applying operational and environmental screening criteria, no contiguous DoD area on Guam

		Comments		Responses	
<b>K-055-637</b>	1-24 to 4-27		Revenues will likely increase, but decrease as the military moves out or the bases are settled. We need to be able to look at sustainability.		
	4-28 to 4-32		The GDP will likely be favorable if we maintain the population increase.		
	4-33 to 4-34		This will be favorable if the military contributes to upgrades and ensures that they contribute to utility improvements and maintenance and become consumers.		
	4-35 to 4-39		No Comment...		
<b>K-055-638</b>	4-40 to 4-44		For Public Service Impact. That will mean additional work and customers. There should be a Lessons Learned from the Compact of Free Association which is costing Guam tremendously as we are having to absorb migrants. If we do not impose limitations and restrictions of certain things (ie. land, etc...) to just the residents of Guam and allow a takeover, Guam will absorb more issues.		
	1 2	2-2	2.1.1.2	The influx of the migrant laborers, who will eventually bring in their families will most likely be individuals working at minimum wage or not working at all. These individuals may apply for services under Public Assistance. This would potentially lead to an increase in foot traffic to our office and an increase in caseload to an already high caseload.	
<b>K-055-640</b>	2-7	2.2.3.1	Capture rate - most of the earnings from these laborers will not stay on the island. Thus would it really stimulate the economy?		
<b>K-055-641</b>	2-12	2.3.1	"Stay-Behind" workers - who quit or no longer have work because the project has been completed, may end up on our rolls.		
<b>K-055-642</b>	2-17	2.4.2	Social Disorder will impact all our social services. Rape - need for medical insurance, cash assistance, food assistance, increased incidences of teen pregnancy and out-of-wedlock pregnancy will also impact our public assistance services.		
			The increase in participation into our social programs will require and increase of staff to address the needs of these individuals.		

was identified that could support all the land use and operational requirements of the action.

Should DoD determine that additional land is necessary to meet its requirements, DoD policy requires that it negotiate with affected public and private land owners in good faith, seek agreements to acquire desired lands interests and pay fair market value. Where circumstances exist that require resolution of issues such as ownership or value, procedures exist under eminent domain authority to resolve those questions. Eminent domain requires reimbursement at fair market value.

DoD recognizes the importance of managing efforts in implementing the proposed military relocation to reduce adverse effects on the people of Guam, its natural resources and infrastructure. The EIS process identifies ways to implement the proposed relocation while minimizing adverse impacts. DoD will continue to work with the people and Government of Guam to ensure that the short term impacts of construction are managed effectively and that the long term effects of the military relocation reflect DoD policies to be good neighbors and responsible citizens on Guam.

#### **K-055-345**

Thank you for your comment. The EIS reflects your sentiment and contains a determination that Alternative 1 would result in significant impacts to recreational resources on non-DoD lands in north Guam.

#### **K-055-346**

Thank you for your comment. The comment appears to be a note about what is stated and no response is necessary.

#### **K-055-347**

Thank you for your comments and opinions. Your recommended

Comments				Response		
K-055-643	1	2	2-9	2.1.1.2	The influx of the migrant laborers, who will eventually bring in their families will most likely be individuals working at minimum wage or not working at all. These individuals may apply for services under Public Assistance. This would potentially lead to an increase in foot traffic to our office and an increase in caseload to an already high caseload.	
	1	2	2-7	2.2.2.1	Capture rate - most of the earnings from these laborers will not stay on the island. Thus would it really stimulate the economy?	
	1	2	2-12	2.3.1	"Stay-Behind" workers - who quit or no longer have work because the project has been completed, may end up on our rolls.	
	1	2	2-17	2.4.2	Social Disorder will impact all our social services. Rape - need for medical insurance, cash assistance, food assistance. Increased incidences of teen pregnancy and out-of-wedlock pregnancy will also impact our public assistance services.	
K-055-644				The increase in participation into our social programs will require an increase of staff to address the needs of these individuals.		
K-055-645				As the population grows, overcrowded conditions may lead to pollution, stress, the emergence of new diseases, traumatic injuries and violence. Those with low socio-economic conditions, suffer with the burden of mortality and morbidity.		
K-055-646			13		The Community Health Nurses as well as the Central Region Health Clinic sees those without health insurance. There are only three home visiting nurses to cover the entire island of Guam. Moreover, the clinic has only two Registered Nurses and two Licensed Practical Nurses to run ten clinic services per day. The clinic has Maternal and Child Health Clinics which includes Child Health, Family Planning, Women's Health, STD Clinics, Communicable TB Clinics, Immunization Clinics. All of these clinics are free services. The clinics will be affected by running out of supplies, medications diagnostic test, etc. The x-ray machine is old and need to be replaced or repaired. The clinic is in dire need of repair and remodeling. With the increase in population, the clinic will be more dilapidated.	
K-055-647					The improvement of quality of living through health promotion, effective health care delivery systems, and enhancing the environmental infrastructure will consequently prevent increased disease.	

mitigation measures have been taken under consideration. Expanded mitigation discussion is available in the FEIS.

**K-055-348**

Thank you for your comment. The DoD is considering several options for disposal of dredged material, including upland placement, ocean disposal, and beneficial uses such as shoreline stabilization, fill for berms, and fill for the Port Authority of Guam, as discussed in the EIS (Chapter 2, Volume 4). Using dredged material for beneficial reuse projects would depend upon the suitability of the material for these projects as well as whether the proposed action timeline coincides with the need for material for a reuse project. Detailed analysis cannot be done at this time because specific projects have not yet been identified with certainty. While beneficial reuse is a priority for the DoD, the final decision on dredged material management will be made during the final design and permitting process. Detailed analysis of the potential impacts from using dredged material for reuse projects will be conducted during the permitting phase.

The Navy acknowledges there is potential for their existing and future coastal facilities to be adversely affected by sea level rise, inundations from more extreme storm events and other consequences of climate change. However, predictive models on future sea level rise are subject to variability, due in part to unknown future greenhouse gas emissions. The variability increases with the period of time being assessed. Risk assessment methodologies and technologies are being developed to predict the potential impacts of climate change on existing Navy coastal facilities. As new design criteria relevant to climate change are adopted by the Navy, they will be incorporated into project design. Regarding dredging methods, there are a number of trade-offs between the use of hydraulic or mechanical dredging equipment that range from the type of marine sediment to be excavated and the choice of upland or ocean disposal method. In either case, the use of best management practices including the deployment of silt curtains, would minimize

		Comment	Response
K-055-648	18	The stressors, such as lead poisoning, pesticides, air pollution, will directly affect human health. There will be an increase of cars on the roads, which consequently increase carbon monoxide and will affect unborn fetuses. We need to prevent an increase of Children with Special Health Care Needs.	
K-055-649	18	Additionally, we should not forget small pox. With the military build-up, what are we doing to protect our population if this ever emerges? The majority of nurses are not trained to do small pox vaccination if an epidemic ever occurs.	
K-055-650	18	Community Health Nurse face many challenges. These include being responsive to emerging needs and health care issues within their aggregates, developing multidisciplinary models for practice that hold fast to the principles of primary prevention in health care. There is a need to do more research in practical implementations to achieve higher level of health and well-being. Sustainability and maintenance should be significantly considered during all planning to meet the needs without compromising the future.	
K-055-651		Enforcement of proper protocols on the toxic and nuclear materials that can affect the health of the residents to include monitoring, accountability and penalty on improper disposals.	
K-055-652		No plan on how to recruit professionals such as doctors, nurses, teachers, and other skilled workers.	
K-055-653		Increase in ship embarkment would create congestion and destroy the natural resources. The amphibious vehicles would generate noises that has impact on the surrounding residents. No plan on how to resolve this issue. Should create a road away from residential areas.	
K-055-654		Addressing the health/medical services needs by enticing and sustaining medical providers, obtaining and maintaining quality medical equipments, and expanding the facilities for the 75% civilian workers and the future.	
K-055-655		Provide training to Guam residents to acquire the workforce then hiring off-island workers (75%).	
K-055-656		Mandate in ensuring the enforcement, manpower, and facility are thoroughly address simultaneously in the safety component to include tighter customs and quarantine control and DUI checkpoints.	
K-055-657		Road safety, what are the plans to prevent additional traffic accidents in addressing the lighting, reflectors, traffic signs, potholes, uneven surfaces, and driver's orientation/education	
K-055-658	18 Specific Impact Assessment Study		

adverse impacts from the suspended sediments caused by the dredging action. The choice of dredging equipment and any restrictions on use would be determined during the permit phase of the proposed project.

**K-055-349**

Thank you for your comment. The Final EIS has been updated to reflect this comment.

**K-055-350**

Thank you for your comment. The DoD and regulatory agencies are equally concerned about preventing contamination of surface waters and groundwater. The EIS describes numerous programs and actions that would be taken to protect surface waters from stormwater runoff. Construction of new facilities would use LID principles to the extent practical. The DoD has conducted a LID study identifying specific types of alternative designs that can be incorporated into the construction of facilities associated with the buildup to minimize potential water resources impacts. As described in the Final EIS, the Proposed Action would be implemented in accordance with all federal, GovGuam, and DoD regulations.

**K-055-351**

Thank you for your comment. A number of protective measures and BMPs would be implemented to minimize the distribution of the turbidity plume that would unavoidably be generated by the proposed dredging operations. These measures and BMPs are noted in Chapters 2, 4, and 11 of Volume 4. In addition, Volume 9, Appendix D contains additional information regarding dredging techniques and BMPs. Bubble curtains are among the measures listed. Silt curtains are another example of these types of protective measures. Standard turbidity curtains are approximately 20-30 feet (6-9 meters) in length and have a weighted

		COMMENT	RESPONSE
K-055-659		Construction of roads would have an adverse impact on Guam residents. Should change the hours of operation on some establishment to reduce the traffic congestion. Heavy equipments should not be allowed on the roads at certain hours. Create more bus transit and encourage it use. Government offices and some private companies should create a designated employee parking lot away from the traffic area and provide its own bus transit to alleviate the traffic congestion due to increase of population.	
K-055-660		With the supply and demand and currently increasing rate of gasoline, power, water and waste collection, off-island workers would be compensated the comparable salary to the States but the locals are not commensurated to these increasing expenses.	
K-055-661		Increase in population corresponds to an increase in workload requiring pay raises or recruitments.	
		Building permits should be based on the value of the structure to assist in resources needed.	
K-055-662		Driver's License orientation on road protocols for off-island drivers to deter accidents and provisional license for additional revenue.	
K-055-663		Increase in alcohol and tobacco tax in establishing responsibility and control and also provide funding for rehabilitation or weekly sobriety checkpoints.	
K-055-664		Plans on identifying, preventing and controlling the increase of drugs, DUIs, prostitutions and other relating crimes. Should increase the manpower of Law Enforcement Agency.	
K-055-665		Land lease with the provisions of percentage increase on a yearly or every two years to cover increase in the standard of living expenses.	
		and lease with the provisions of percentage increase on a yearly or every two years to cover increase in the standard of living expenses.	

bottom to maintain the effectiveness of the curtain against the movement of currents within the water body. Since the dredge equipment is not stationary for the entire period of dredging, it is impractical to have a stationary silt curtain extending to and being anchored to the bottom of the harbor. The length of time the silt curtains would be in place would be determined through agency coordination and permitting; however, in general terms the curtains would potentially be in place during and after dredging operations until monitoring indicates turbidity levels have returned to pre-dredging concentrations. Specific monitoring requirements would be identified and implemented following agency coordination and permitting.

#### K-055-352

Thank you for your comment. The Final EIS includes consideration for these issues. In addition, as presented in the Final EIS, testing of proposed dredge material would occur before the start of dredging activities. Specific monitoring requirements would be identified and implemented in line with agency coordination and permitting.

#### K-055-353

Thank you for your comment. Please see response to K-055-351.

#### K-055-354

Thank you for your comments. Impacts to fish, crustaceans, mollusks, other aquatic organisms, and special marine habitats are discussed in detail in Chapter 11, Marine Biological Resources. Impact assessment provided in LEDPA discussion has been updated to reflect revised analysis (in response to comments) in Chapter 11. In addition, the Final EIS refers readers to Chapter 11 for a detailed impact analysis discussion.

		Comment	Response
K-055-666	18.2 18-21	The EIS states the following: "No increases in demand for health services would occur as a result of additional military activities on Guam. However, the natural increase in population would result in a slight increase in demand for these services. As a result of natural population increase on Guam, approximately 1 additional doctor and 3 additional nurses would be required to maintain current service ratios. These additional health care professionals would be hired in order to maintain current service ratios". <i>There would be an increase of 2 family practitioners, 1 certified nurse midwife, and 1 nurse practitioner, 3 nurses, 4 nurse aides, and 8.05 other support staff in 2014, the peak of the military build-up construction as compared to 2010. However, according to the EIS draft, Chapter 18.2.6.5 (page 18-21), it states that approximately 1 additional doctor and 3 additional nurses would be required to maintain current service ratios. Thus, there is definitely a discrepancy of 1 physician and 2 mid-level providers, 4 nurse aides, and there is no mention of additional support staff (i.e., medical record clerks, lab technicians, pharmacists, and pharmacy technicians). Interesting enough, the Guam Community Health Centers has just recently completed the 2009 Uniform Data System Report (UDS) and data reveals an increase of 6% in the percentage of patients (from 13,377 in 2008 to 14,187 patients in 2009) and a 9% rise in medical visits (from 36,705 in 2008 to 40,083 in 2009).</i>	
K-055-667	18.2 18-21	Furthermore, the EIS draft Section 18.2.6.5 Health Care Services (page 18-21) states: "These additional health care professionals would be hired in order to maintain the current service ratios." The EIS draft on page 18-22 states: "Without corresponding increases in health care providers potential health and safety impacts could include: longer wait/response time for patients, fewer or no available providers on island for chronic or acute issues, complications or death from delayed treatment, and/or requirements for patients to travel off-island to receive adequate treatment. However, because corresponding increases in doctors and nurses is anticipated to occur to maintain existing service conditions, no impact on health services from the no-action alternative are anticipated." <i>There is nothing in the draft EIS that provides any suggestive strategies or the recruitment of health professionals and the hiring of health professionals is a very crucial problem not only on Guam, but the entire U.S. The draft EIS assumes that the increases in doctors and nurses are anticipated to occur, but there is no information on the draft EIS of how Guam would get more nurses and doctors.</i>	

#### K-055-355

Thank you for your comment. Testing results would be available prior to the start of proposed dredging activities. The Final EIS has been revised to clarify this.

#### K-055-356

Thank you for your comment. We acknowledge that one of the impacts resulting from the proposed actions is competition for space and availability of the recreational resource(s) at a given site, such as Apra Harbor. One of the mitigation measures proposed in the EIS is to conduct a carrying capacity study for the recreational resources on Guam. Information formed from the data collected from the carrying capacity can be use used to determine what the threshold for the recreational resources are; subsequently, appropriate implementation measures can be formed to manage user capacity and threshold for the recreational resources.

#### K-055-357

Thank you for your comment. One of the mitigation measures proposed is for a recreational resource carrying capacity study and resource management plan to be conducted for the existing recreational resources on Guam. Data gathered for the carrying capacity study would be used to develop a baseline (i.e., carrying capacity for a recreational resource) and appropriate mitigation measures would be included in resource management plan to be developed.

#### K-055-358

Thank you for your comment. Text modified to change "northwest" to "northeast".

#### K-055-359

Thank you for your comment. Text modified to change "Guam

	Comment	Response
K-055-668	18.21 For the draft EIS to also state that there would be no impact to health care services is not at all supported with any documented data and information. Thus, as the CHC Executive Director, please allow me to justify my disagreement with the statement that there would be no impact to health care services. Guam has been classified as a "Health Professional Shortage Area (HPSA)" with a HPSA score of 11 due to several factors: a population to primary care physician ratio of 2,883:1 (2,883 people per every 1 primary care physician) that exceeds the U.S. typical standard of 1500:1; 51% of the population are below 200 percent of poverty level; 94% of the population having no form of health insurance coverage; and the high need for primary health care services. The shortage of health professionals is primarily attributed to the difficulty in recruiting providers due to Guam's remote island setting, small scale, and territorial status (i.e., not linked to any larger state entity), the physician salary not comparable to U.S. rate, and the high cost of malpractice insurance on Guam. According to the 2008 Health Professional Licensing Office data, Guam has 58 full-time equivalent primary care physicians (24 family practitioners, 13 pediatricians, 9 general practitioners, and 18 internists). With a population of 167,226, 58 FTE primary care physicians are simply not enough for the entire island. The island has only a limited number of specialists, which includes 1 cardiologist, 3 nephrologists, 2 orthopedic surgeons, 6 general surgeons, 6 OB/GYNs, 2 Ear Nose and Throat (ENT) specialists, 2 neurologists, 1 oncologist, 1 neurosurgeon, 2 infectious disease specialists, 0 pulmonologist, and 0 gastroenterologist. Additionally, there are 50 dentists practicing on Guam including 1 oral maxillofacial, 1 periodontist, 2 endodontists, 2 orthodontists, and 5 pediatric dentists. Most of the dental clinics are located at the central and northern part of the island (Seventh Day Adventist Clinic, Family Health Plan Dental Center, Gentle Care Dental Associates, Ordot Dental Clinic, Isla Dental, Hata Adai Family Dental, Hightower Dental Clinic, Pediatric Dental Center, and dozens of sole private practicing dentists. Moreover, Mental Health Services are primarily available at the Department of Mental Health and Substance Abuse and the island has 3 psychiatrists.	

Department of Water Resources (GDAWR)" to "Guam Division of Aquatic and Wildlife Resources".

**K-055-360**

Thank you for your comment. Quantitative Fish survey data collected is included in the FEIS. Data is from a University of Guam study which is summarized, but the report is included in Volume 9, Appendix J of the FEIS. As described in the FEIS, direct and indirect impacts to fishes are expected from the proposed action; the majority of impacts would be short-term, as fish are mobile and those not directly harmed would likely relocate.

A detailed compensatory mitigation plan would be submitted as part of the Clean Water Act 404 permit application for construction affecting the navigable waters of the United States (including the CVN transient wharf). Due to the ongoing review of DoD's habitat assessment methodology for coral reef ecosystems and associated uncertainties regarding the scope of mitigation required, a detailed mitigation plan has not been developed nor will one be available for incorporation into the FEIS. However, a number of mitigation options, including watershed restoration and the use of artificial reefs, are discussed in programmatic nature in Volume 4, Section 11.2 of the FEIS. DoD recognizes that, as part of the CWA Sec. 404 permitting process, additional NEPA documentation may be required to address specific permitting requirements and implementation of required compensatory mitigations.

**K-055-361**

Thank you for your comment. Habitat assessment methodologies which evaluate the function of affected aquatic resources, such as coral reef ecosystems, are an evolving science and the adequacies of existing and new methodologies are heavily debated in the scientific community. Ideally, a standard assessment technique that accurately characterizes and quantifies losses and gains of coral reef ecosystem functions would

	Guam	CNMI
K-055-669	<p>Some of the aforementioned private health and dental clinics do accept Medicaid or MIP patients sporadically. This usually happens in the beginning of the fiscal year when the government insurance programs have funds appropriated, but they close their doors midway through the year when funds have dwindled, or are no longer available and there is no more reimbursement. Therefore, most of the private health clinics cannot be counted upon to serve MIP and Medicaid patients in a consistent manner. Additionally, they accept a few uninsured or underinsured patients who can afford to pay up front. Private providers also are quite ineffective in caring for the medically underserved patients because they are busy enough with insured patients. Most decline to accept new patients, particularly the uninsured and those with government insurance. Government insurance pays poorly far below the private insurance rates, pay late, has cumbersome billing procedures, and so they have no incentive to do so. It should be noted that many of the specialists on Guam (i.e., orthopedics, neurologist adult cardiologist, ENT, nephrologist, ophthalmologist, surgeons) do continue to care for uninsured, MIP, and Medicaid patients in need of their specialty care, realizing that these patients have nowhere else to go. In fact, many of these providers offer reduced rates to the uninsured, self-pay patients. With most private providers unwilling to accept MIP, Medicaid, and uninsured patients, particularly those who cannot make payment upfront, thousands of indigent patients literally have nowhere to turn to for their primary health care needs. Thus, Guam's medically underserved population urgently need better access to comprehensive primary medical care. The Northern Region Community Health Center, Southern Region Community Health Center, and the Guam Memorial Hospital are the "safety-net" providers for the medically underserved population. In fact, the CHCs are the sole source providers in the northern and southern areas of the island and GMHA ER has become an urgent care center for poor people as their options for medical care are limited. Other than the shortage of providers, there are gaps in tertiary care services, inpatient care services, and off-island referral services. Although Health Services of the Pacific is the only JACHO accredited facility providing home health care and hospice care on Guam, there is no tertiary care facility on island as in the U.S. so this gap exists. In addition, gaps in the provision of comprehensive care for patients requiring hospitalization occur even though GMHA has 7 FTE hospitalists (3 full-time OB/GYNs of which 2 also work part-time at the CHCs, 1 FTE pediatrician, and 3 FTE internists). Although the hiring of these hospitalists has helped to bridge the gap to some extent, it is not enough, thus private physicians take rotating "house calls" to ensure appropriate coverage 24/7 for admissions. The lack of specialists and the limited number of full-time hospitalists also means physicians on</p>	

be used. However, rulemaking for the Compensatory Mitigation Rule recognizes the wide variety of aquatic resources present in the United States and the evolving nature of science regarding aquatic ecosystem restoration make the establishment of standard assessment methodologies impracticable. The assessment for this EIS used an historically approved methodology (percent coral cover), supplemented by other methods such as the use of Light Detection and Ranging (LIDAR) satellite photos, for quantifying impacts to affected coral reef ecosystems impacted by the proposed transient CVN wharf and associated dredging. DoD believes that use of the percent coral cover methodology, supplemented by use of LIDAR satellite photos, is the "best currently available science" to attempt to capture the thousands of elements that comprise the function of a coral reef ecosystem. DoD's assessment is currently under review by the US Army Corps of Engineers, the agency charged with implementing dredge and fill permits under CWA Section 404, and other Federal agencies. The FEIS will be updated to reflect the latest developments in this review.

**K-055-362**

Thank you for your comment. Information on submerged resources in Apra Harbor were based on a series of underwater surveys conducted in Apra Harbor by the Navy, National Park Service and the Guam Historic Preservation Office. No historic properties were identified within the proposed project area.

**K-055-363**

Thank you for your comment. Stormwater management and best management practices (BMPs) for the Guam Road Network (GRN) are discussed in Volume 6 Section 6.2.6. A Stormwater Implementation Plan describing detailed stormwater pollution control measures for the GRN is provided in Volume 9 Appendix G.

	Comment	Response
K-055-669	<p>"house-call" sometimes spend long hours in the hospital, away from their clinics, caring for intensively ill patients until they are transferred to a regional tertiary care center on the U.S. mainland or the Philippines. Since Guam's referral hospitals in Hawaii, California, and the Philippines are several hours away by commercial jet, transfers are not made quickly due to extensive coordination that is needed for medical evacuation and the uncertainty about the acceptance of the medically underserved patients by these institutions. Off-island hospitals may not necessarily accept MIP and Medicaid patients due to delays in payment by these government insurance plans, which is often the main source of funding for the off-island health care cost of these patients. Other than the physician shortage, the island lacks dentists largely due to licensure "hurd" battles and salary constraints. Guam's licensure laws requires dentists already licensed in the U.S. to retake a comprehensive dental board exam, which costs \$2,500 and the dentist must pass this written exam along with a practicum exam in order to be licensed on Guam. The difficulty in recruiting dentists to work at the CHCs is also attributed to a very low salary offered by the Guam Department of Public Health and Social Services, Guam CHCs.</p>	

**K-055-364**

Thank you for your comment. The information presented in the EIS regarding the number of vessel visits to the Port of Guam during the period of 1995 through 2008 is based upon information provided in the Port of Guam Master Plan Update 2007 Report (April 2008). While there was a substantial decrease in the number of fishing vessel visits during that period (1,575), there was also a large decrease in the number of break-bulk cargo ships (306), and barges (152). During that period, there was an increase in the number of container ships from 117 to 165.

As presented in Volume 2, Chapter 14 (Marine Transportation), Section 14.2, it is anticipated that in the peak year for the delivery of break-bulk cargo (2012), there would be 420 break-bulk cargo ships. This would be 289 more break-bulk ships than visited the Port in 2008. During the peak year for the shipment of containers to the Port of Guam (2015), there would be 269 container ships as compared to 165 in 2008.

The need to restrict usage of the channel through Outer Apra Harbor during the transiting of the aircraft carrier is discussed in Volume 4, Chapter 14 (Transportation). Because the movement of the aircraft carrier would require up to four assist tugs, the channel is restricted for security and safety reasons.

**K-055-365**

Thank you for your comment. It is noted that the EIS process provides information on environmental impacts (this includes the human environment); however, there is a limit to the specific details of the impacts because the information used is based on the continuation of existing trends and behaviors. While it is not an exact science, the EIS process along with the comments received provide information to the decision makers on the anticipated impacts of the proposed action. It is also noted that the Socioeconomic Impact Assessment Study (SIAS) discussed an unconstrained (maximal) scenario and a constrained

Case No.	Comments	Response
K-055-670	19-21	<p>Additionally, the draft EIS Section 18.2.1.3 issues identified during Public Scoping Process (Page 18-12), which states: "As part of the analysis, concerns related to public health and safety that were mentioned by the public, including regulatory stakeholders, during the public scoping meetings were addressed. These include: potential increases in diseases including: AIDS, cholera, dengue, Hepatitis C, Malaria, Rubella, Tuberculosis, Typhoid fever, STDs other than AIDS, potential increases in mental illness, potential increase in traffic incidents, and potential contact with UXO." There is no mention of the potential increase of any chronic diseases (i.e., diabetes, hypertension, cancer, etc) which are very prevalent not only in Guam, but throughout the U.S. Chronic diseases including diabetes and cardiovascular diseases are increasingly common on Guam as lifestyles have become westernized and sedentary, and the overconsumption of food being an integral part of cultural practices further predisposes people to such diseases. Over the past decade, type II diabetes has become an increasingly serious problem on Guam and continuously prevails as one of the top 5 leading causes of death, accounting for a mortality rate of 27.3 per 100,000 population, although this rate is a significant underestimate of the actual data since many deaths are attributed to complications of diabetes such as heart disease, rather than diabetes itself. Hospital admission rate for long-term diabetes complication is also another health indicator, which reveals diabetes as an ongoing health problem. In 2008, Guam Memorial Hospital Authority (GMHA) reported Guam's diabetes long-term complication hospital admission rate of 512 per 100,000 population (512 hospital admissions for diabetes per 100,000 population). Clearly these hospital admissions reveal that patients are not controlling their diabetes, which leads to long-term complications, the most prominent being end stage renal disease (ESRD) as evidenced by the 5 renal dialysis centers in business on such a small island. Thus, these diabetes indicators clearly show that additional interventions need to be implemented such as blood glucose monitoring, hemoglobin A1c testing, behavioral modification/healthy lifestyle practices, G14ad adherence to medication regimen to prevent long-term complications associated with diabetes. Other than diabetes, cardiovascular disease is the most prominent health problem on Guam. Diseases of the Heart accounts for a mortality rate of 196.7 per 100,000 population, making it the leading cause of death on Guam. Health markers associated with the development of cardiovascular disease include smoking, obesity, sedentary lifestyle, and high blood pressure. On Guam, 27% of adults are smokers, 21% smoke daily, 54% are overweight, 27% are obese, and 28% do not participate in any physical activity (2008 Behavioral Risk Factor Surveillance Survey). According to data from GMHA, in 2008, Guam's hospital admission rate for hypertension was 543 per 100,000 population (543 hospital</p>

scenario. The two scenarios represent a range of impacts that could occur should the proposed project be implemented under the current schedule. The SIAS is provided as Appendix F, Volume 9 of the DEIS.

**K-055-366**

Thank you for your comment. As documented in this EIS, DoD acknowledges the existing sub-standard conditions of key public infrastructure systems and social services on Guam and the interest to have DoD fund improvements to these systems and services. DoD's ability to fund actions is limited by Federal law. However, to minimize adverse impacts associated with the proposed military relocation program, DoD is leading a federal inter-agency effort to identify other Federal programs and funding sources that could benefit the people of Guam.

**K-055-367**

Thank you for your comment. Text has been changed as appropriate.

**K-055-368**

Thank you for your comment. The goal for DoD is to minimize the use of hazardous wastes whenever possible. Therefore, the language is correct.

**K-055-369**

Thank you for your comment. Please see response to K-055-366.

**K-055-370**

Thank you for your comment. Waste will be disposed of in accordance with all applicable federal, state, and local laws and regulations. Waste not able to be disposed of in a local RCRA Subtitle D landfill will be transported off-island for disposal at a permitted facility.

			Comment	Response	
K-055-671	2	2	2.8	The Medical Social Services (MSS) will be inundated with additional requests for Medical Social Workers intervention. Medical Social Workers are needed to provide social work intervention to clients who are diagnosed with high-risk medical conditions and/or psycho-social problems requiring specialized case management services. Currently, MSS is understaffed and may not be able to handle the additional caseload. Funding to support the hiring of additional Social Workers, larger office space, furniture, equipment, and supplies would enable MSS staff to provide intervention services to the anticipated increase of clients.	
K-055-672			4.8	The Medical Records Section will also be tasked to prepare volumes of new patient records and additional requests for maintaining the existing workload. Medical Records Section is currently severely understaffed and lacks the capability to handle the additional caseload. Therefore, funding to support the hiring of additional Medical Records Clerks and to purchase larger office space, furniture, equipment, and supplies are needed to provide medical records support to the anticipated increase of patients.	
K-055-673			4.8	The Pharmacy Section will be in need of additional pharmaceutical and medical supplies, personnel, equipment, supplies, office space, and storage. There is only one Pharmacist and Pharmacist Technician who occupy approximately 500 square feet of office space which houses all Pharmacy personnel, furniture, equipment, pharmaceutical and medical supplies which is inadequate for existing program needs, and will not be able to support future program needs. The current supply is barely enough to support the needs of the current patients being served. Funding to support the costs of increasing all aforementioned areas is needed.	
K-055-674	2	16	21	In 2006, Guam had a total of 244 physicians serving its population, including physicians at the Guam Memorial Hospital and licensed military physicians working on a part-time basis. (Western Pacific Region Health Databank 2007)	

### K-055-371

Thank you for your comment. The historically monitored ambient air quality program at Guam was included in the discussion of existing monitoring data. Detailed data from this program were not included in the DEIS, as a detailed discussion of air quality conditions 20 years ago including location, levels collected, etc. would be of limited or no use for describing existing ambient air quality conditions occurring now at Guam. A comparison of predicted air quality conditions to historical conditions would not assist in determining the incremental increases from the proposed action.

Volumes 2 through 6 provide detailed air quality impact analyses that include emissions quantifications and microscale dispersion modeling analysis. The emissions forecasts were compared with *de minimis* levels that are applicable for the nonattainment areas and the PSD major source threshold that was used as measure of emissions increase significance in attainment area. These emissions-based analyses are based on available incremental emissions resulting from the proposed action and do not rely on the baseline condition. The microscale impact concentration analysis for power plant impact was based on the historical analysis done by GPA during the source permitting process. On-road traffic was analyzed by including all baseline traffic in the modeling. Results of these analyses were then compared to the National Ambient Air Quality Standards (NAAQS).

Therefore, even given the lack of monitoring data on Guam, these analyses follow the regulatory procedures and demonstrate the compliance with the applicable *de minimis* thresholds or the NAAQS and they are considered valid.

Recognizing the lack of ambient air quality data, the FEIS proposes to construct an ambient air monitoring station in northern Guam, and turn this station over to GEPA to begin monitoring of this portion of Guam.

ID		Region		Comment	Response
K-055-675	96	16.2.3.3		For health and human services, this chapter considered impacts on various aspects of the GMHA, the GDFHSS, the GDMHSA, and the GDSID. These agencies would need a combined 192 new key professional workers by 2014, dropping to a combined 52 a few years later.	
K-055-676	21	18.2.6.5		No increase in demand for health care services would occur as a result of additional military activities on Guam. However, the natural increase in population would result in a slight increase in demand for these services. As a result of natural population increase on Guam, approximately 1 additional doctor and 3 additional nurses would be required to maintain the current services ratios. These additional health care professionals would be hired in order to maintaining current service ratios.	
K-055-677	21	18.2.7.2		During the peak construction year (2014) 16 additional doctors (26% increase) and 91 additional nurses (26% increase) would be required to maintain the current service ratios; the number of additional doctors drops to 2 (4% increase) and nurses drops to 12 (3% increase) after construction activities are completed.	
K-055-678	4-41	Table 4.4.1		Summary of Agency Survey Comments of Existing Facility and Staffing Challenges	
	21			In 2005, Guam had a total of 244 physicians serving its population, including physicians at the Guam Memorial Hospital and licensed military physicians working on a part-time basis. (Western Pacific Region Health DataBank 2007)	
	96	16.2.3.3		For health and human services, this chapter considered impacts on various aspects of the GMHA, the GDFHSS, the GDMHSA, and the GDSID. These agencies would need a combined 192 new key professional workers by 2014, dropping to a combined 52 a few years later.	
K-055-679	21	18.2.6.5		No increase in demand for health care services would occur as a result of additional military activities on Guam. However, the natural increase in population would result in a slight increase in demand for these services. As a result of natural population increase on Guam, approximately 1 additional doctor and 3 additional nurses would be required to maintain the current services ratios. These additional health care professionals would be hired in order to maintaining current service ratios.	
K-055-680	21	18.2.2.2		During the peak construction year (2014) 15 additional doctors (26% increase) and 91 additional nurses (26% increase) would be required to maintain the current service ratios; the number of additional doctors drops to 2 (4% increase) and nurses drops to 12 (3% increase) after construction activities are completed.	

### K-055-372

Thank you for your comment. Refer to Volume 6, Chapter 8 for a discussion of mitigation measures for noise impacts from roadway operations. Although many receptors within the North and Central Regions are expected to experience future traffic noise impacts, the locations where these impacts would occur would require abatement measures that would not be feasible. Specifically, the land adjacent to Routes 1, 3, and 9 in the North Region and the land adjacent to Routes 1, 8, 10, 16, and 27 in the Central Region consist of several residential areas where many residences have driveways that provide direct access to the routes, thereby resulting in issues of sound wall discontinuity. For a sound wall to provide sufficient noise reduction, it must be high enough and long enough to shield the receptor from the road. Access openings in the noise barrier for streets, driveways and maintenance severely reduce the effectiveness of the noise barrier to the point that it would not be feasible to construct a barrier. Furthermore, for most of the locations, there are not enough residences per area to allow a noise barrier to be reasonable due to the cost per benefited receptor. Sound walls must meet both the feasible and reasonable requirements under Guam's Traffic Noise Abatement Policy (TNAP) to be considered for construction. Sound walls have been identified in several areas of the North and Central Regions that meet the feasible and reasonable criteria of TNAP.

### K-055-373

Thank you for your comment. Table ES-3 of the Socioeconomic Impact Assessment Study (Appendix F of the EIS) provides a summary of economic and housing impacts. The impacts are measured in number of jobs, number of dollars or number of housing units.

### K-055-374

Thank you for your comment. As noted in the SIAS, the public service impact methodology was intended to ensure that stated impacts are just

				Comment	Response
<b>K-055-681</b>	9	F	4-41	Table 4.4.1 Summary of Agency Survey Comments of Existing Facility and Staffing Challenges	Guam has over 300 physicians that provide services at Guam Memorial Hospital. Some of these physicians do not actively live on Guam, but, come to Guam on a quarterly basis to provide much needed specialty services such as thoracic surgery.
<b>K-055-682</b>	2	18	5	18.1.4.2 Table 18.1-3. Note: One (1) of the 4 cases in 2000 contracted disease off-island.	To combined GDPHSS with other health care agencies with regards to new key professional workforces not a true reflection of the staffing needs of the agency. GDPHSS requires additional nursing, allied health, and medical professionals to be able to handle the increase in population pre-construction and post-construction.
<b>K-055-683</b>	2	18	5 & 17	18.1.4.2 & 18.2.2.3 Although all reported cases of dengue were contracted off-island, the mosquito vector <i>Aedes albopictus</i> is predominant on island. With increased construction activities and influx of workers coming from endemic areas, there's potential risk for this disease to increase. It only takes one infected case and viable vector for transmission to occur.	At present, with the current health care staffing at GDPHSS, additional military activities (e.g. construction) will certainly increase the demands on health care services. Without an increase in the number of health care professionals that provide direct and indirect patient care, would result in delay in response times to patients; longer wait times; fewer or no available providers on island for clinic or acute issues; and complications or death from delayed treatment.
<b>K-055-684</b>				With the impending influx of contract workers coming from countries where Tuberculosis is endemic in preparation for the USA Military build up here on Guam, then we may see a steady increase in the number of TB cases. Unless stringent measures are implemented in the health screening requirements of all contract workers upon arrival and funding sources are available to continue our Tuberculosis surveillance activities then we may see a 10-20% increase in the number of TB cases in the next 2-5 years.	Unsure why there was no response from GDPHSS with regards to facility capacity and staffing problems. However, GDPHSS current facility to provide health care services to the current population as well as the projected increase in population with the military build-up, will require either facility expansion or new construction of a new facility. With regards to staffing problems, like other health care agencies, health care professionals are difficult to recruit due to salary compensations.

those due to the proposed action, not pre-existing problems or deficits, or natural population increase. However, the existence of deficits for individual agencies is noted where applicable, and the impact analysis will also note the larger picture of deficits and challenges affecting GovGuam overall.

**K-055-375**

Thank you for your comment. The approach to analysis for permitting agency impacts is discussed in Section 2.2.3 of the Socioeconomic Impact Assessment Study (Appendix F of the DEIS).

**K-055-376**

Thank you for your comment. Edits have been made as appropriate in the FEIS.

**K-055-377**

Thank you for your comment. Impact analysis is performed in the Socioeconomic Resources chapters of the EIS document.

**K-055-378**

Thank you for your comment.

**K-055-379**

Thank you for your comment. The section to which you refer on low capture rates explains that low capture rates on Guam are largely due to a heavy reliance on imported products and that a relatively high (compared to other regions) percentage of expenditures leaks out of the Guam economy because very few goods are produced on Guam.

The section explains that construction expenditures may not contribute as much to the Guam economy as similar expenditures would in another region due the the high level of leakage.

				COMMENT	RESPONSE
K-055-685	2	18	p.18-14	Under the heading, "Electromagnetic Safety," the report states that: "Electromagnetic emissions on public health and safety would not result in any greater safety risk. Therefore, no impact to public health and safety related to electromagnetic emissions would occur." The division assumes such emission may include ionizing radiation. If so, DEH does not have the ability to regulate such activity due to the inactivity of the Radiological Health Program. Absence of this program, DPHSS will not have the capability to confirm the report's conclusion that there would be no impact. The program needs funding for personnel and training for its implementation.	
K-055-686	2	6		Noise pollution will evidently occur through construction activities and/or military operation. Although the report indicates that adverse noise will be insignificant, or can be made insignificant through mitigation, the possibility still exists that will impact the general public. Unfortunately, there is no GovGuam entity that directly regulates "noise," therefore, no authority exists to even address this matter locally. DPHSS does regulate public nuisance, which could include noise pollution; however, by policy it does not. In light of the potential problem, Guam needs to enact legislation specific to noise pollution. Such legislation must include funding for staff and training.	
K-055-687	2	18	16-4 18.1.3.3	As indicated in the section, GEPA/USEPA does regulate drinking water quality. DEH indirectly regulates water quality by overseeing the operations of water and ice manufacturing and bottling facilities. Additional funding to DEH for personnel is necessary for routine inspections of these facilities.	
K-055-688	2	18	v	Figures ES-1 and ES-2 reflect the labor force and housing demands, respectively. These figures show the increase and decrease due to the height and decline towards steady-state population. In terms of cost of living, individuals will likely see a rise in cost of goods and services faster than their income. This may impact DEH from the import of less costlier and cheaper quality commodities which may not be in compliance with local and federal mandates governing foods, drugs, cosmetics, medical devices, and other commodities. More funding for DEH is necessary and the support of federal regulatory agencies (i.e., USFDA, USDA, and USCDC).	
K-055-689		vi	Table ES-4	The proportion of those serviced by DEH compared to the rest of DPHSS is unknown; however, DEH anticipates there will be increase in the service provided by the division. Any additional services to be provided by DEH will require increase in funding for the division.	

### K-055-380

Thank you for your comment. Discussion on the significance is provided in the Socioeconomic Resource Chapters of the EIS document.

### K-055-381

Thank you for your comment. Analysis in the Socioeconomic Impact Assessment Study presents two alternate scenarios: the unconstrained and the constrained scenarios. The two scenarios are considered equally likely as is any point in between the measurements presented in the two scenarios.

### K-055-382

Thank you for your comment. Habitat assessment methodologies which evaluate the function of affected aquatic resources, such as coral reef ecosystems, are an evolving science and the adequacies of existing and new methodologies are heavily debated in the scientific community. Ideally, a standard assessment technique that accurately characterizes and quantifies losses and gains of coral reef ecosystem functions would be used. However, rulemaking for the Compensatory Mitigation Rule recognizes the wide variety of aquatic resources present in the United States and the evolving nature of science regarding aquatic ecosystem restoration make the establishment of standard assessment methodologies impracticable. The assessment for this EIS used an historically approved methodology (percent coral cover), supplemented by other methods such as the use of Light Detection and Ranging (LIDAR) satellite photos, for quantifying impacts to affected coral reef ecosystems impacted by the proposed transient CVN wharf and associated dredging. DoD believes that use of the percent coral cover methodology, supplemented by use of LIDAR satellite photos, is the "best currently available science" to attempt to capture the thousands of elements that comprise the function of a coral reef ecosystem. DoD's assessment is currently under review by the US Army Corps of Engineers, the agency charged with implementing dredge and fill permits

Response	Page	Section	Table	Comment	Response
K-055-690	2	18	viii	Table ES-4	Table ES-5 provides the number of additional staff needed in DPHSS to service the projected increase in service (See Table ES-4). For the years 2010 and 2014, the unconstrained scenario cited are 246 and 166, respectively, while the constrained scenario numbers indicated are 156 and 81. How the numbers were derived and what percentage is for DEH are all unknown. However, based on the calculations performed by DEH, additional 15 personnel are needed in the pre-construction of the build-up.
K-055-691	2	18	ix	Table ES-4	Table ES-6 states that DEH would need additional staff (influenced by growth in permit requests for construction and development) as follows: unconstrained scenario for peak year and 2020 is 5 and 2, while constrained scenario for peak year and 2020 is 4 and 2. Based on the division's need analysis, a total of 15 staff would be needed during the pre-construction phase. Three staff would be directly involved in the preliminary processing and inspection of permitted facilities, while the remaining 12 staff would be needed for compliance review inspections.
K-055-692	2	18	1-3	1.2.3 and 4	Although various socioeconomic concerns were raised by the public, there were no discussions of other significant issues, such as vector disease and surveillance, public and private sanitation, radiological health, commodity safety, and food safety. Increase in DoD and non-DoD population as a result of the build-up will result in greater demand for environmental health services. Resources (staffing, training, etc.) must be provided to DEH to effectively respond to the needs of the entire population.
K-055-693	2	18	2-7	2.2.3 and 4	DEH anticipates increase of imported goods with the build-up, thus, there is the potential for increased number of non-compliant commodities reaching the population. In addition to more staffing of DEH, the physical presence of fiscal counterparts are needed (i.e., resident posts for USFDA, USDA, USCDC, etc.) on island.
K-055-694	2-10	2.2.4.6	6th bullet		There could be a public health concern related to poor sanitation as a result of over-crowded housing and homelessness. More funding and staffing for DEH will be needed to address the problem.

under CWA Section 404, and other Federal agencies. The FEIS will be updated to reflect the latest developments in this review.

**K-055-383**

Thank you for your comment. The report you refer to is a final report and will not be edited. There may be updates to the report to support the Army Corps of Engineers permits, but they would be considered new reports with new information. The following text includes information to address your comment.

The Water Resources sections in Volumes 2 and 4, Chapter 4 of the FEIS, detail the sampling efforts for sediments within the proposed dredging area. Standard sediment collection and analysis methods were used, and results are presented. Thus, the Navy is aware of the sediment types that occur in the turning basin and other sampled locations.

To lessen any potential negative impacts from sediment resuspension, the Navy will implement mitigation measures and BMPs during in-water activities (dredging, wharf construction) that include Army Corps permits requiring silt curtains to catch a high percentage, although not all, of the resuspended sediment.

The Navy will continue to work with the USACE and EPA/GEPA and do whatever is necessary to satisfy the requirements of Section 10/404 and Section 401 permit documentation. If additional sediment containment measures are required, the Navy would comply.

**K-055-384**

Thank you for your comment. A detailed compensatory mitigation plan would be submitted as part of the Clean Water Act 404 permit application for construction affecting the navigable waters of the United States (including the CVN transient wharf). Due to the ongoing review of DoD's habitat assessment methodology for coral reef ecosystems and

		Comment		Response	
<b>K-055-695</b>	2	16	3-27	Table 3.3-2	Table 3.3-2 shows the industrial employment composition of Guam's economy and trends from 2000 to 2008. For these years, it is interesting to note that the agricultural industry grew 42% (288 to 410) along with the construction industry at 53% (4,430 to 6,700) followed by wholesalers and manufacturers at 6% (1,942 to 2,050) and 4% (1,619 to 1,690), respectively. These growth trends will only continue with the build-out, specifically, DEH is concerned about residual pesticide of local and imported agricultural produce, temporary workers housing/barracks, and sanitation of wholesalers, manufacturers, and retailers. It's imperative that adequate funding be provided to DEH to respond to the anticipated demand for these and other environmental health services.
<b>K-055-696</b>	2	16	6-147	Table 4.2-1; 4.2-2; 4.2-3; 4.2-6	Draft DEIS fails to assess the potential employment of military dependents in the private sector. Thus a study should be conducted to assess what impact it would have on the island (and DEH), if any.
<b>K-055-697</b>	2	16	4.5	NEA	Temporary Foreign H2B Visa Workers arriving on Guam will be housed in dormitories which are/will be inspected by DEH. The vast number of dormitories that will be constructed will impact DEH. Funding for personnel will be necessary to ensure regular inspections of these facilities by DEH.
<b>K-055-698</b>	2	19	4.91	NEA	The draft DEIS mentions Massage Parlor establishments. These regulated establishments will be inspected by DEH. It is assumed that the number of massage parlors will increase with the arrival of H2 workers and the military, thus creating the need for more inspectors. Therefore, it is recommended that DEH be included in any taskforce created to address massage parlors, and funding of staff to conduct inspections.
<b>K-055-699</b>	2	Appendix	16.04	3-12	Under the heading, "Division of Environmental Health," the report indicates that the division issued 22,573 health certificates in FY2008. That is incorrect; the division issued 30,230 health certificates. This needs to be correct.  Under the heading, "Division of Environmental Health," the report indicates that the division issued 22,573 health certificates in FY2008. That is incorrect; the division issued 30,230 health certificates. This needs to be correct. Also in the same section, p. 3-12, second paragraph, last sentence: "If a facility does not pass sanitary inspections, further inspections..." needs to be corrected to read, "If a facility does not pass <i>pre-operation</i> inspections, further..."

associated uncertainties regarding the scope of mitigation required, a detailed mitigation plan has not been developed nor will one be available for incorporation into the FEIS. However, a number of mitigation options, including watershed restoration and the use of artificial reefs, are discussed in programmatic nature in Volume 4, Section 11.2 of the FEIS. DoD recognizes that, as part of the CWA Sec. 404 permitting process, additional NEPA documentation may be required to address specific permitting requirements and implementation of required compensatory mitigations.

#### **K-055-385**

Thank you for your comment. The report you refer to is a final report and will not be edited. There may be updates to the report to support the Army Corps of Engineers permits, but they would be considered new reports with new information. Please see response to K-055-382 regarding habitat assessment methodologies.

#### **K-055-386**

Thank you for your comment. Please see response to K-055-383 for more information regarding sediment resuspension.

#### **K-055-387**

Thank you for your comment. Please see response to K-055-383.

#### **K-055-388**

Thank you for your comment. Habitat assessment methodologies which evaluate the function of affected aquatic resources, such as coral reef ecosystems, are an evolving science and the adequacies of existing and new methodologies are heavily debated in the scientific community. Ideally, a standard assessment technique that accurately characterizes and quantifies losses and gains of coral reef ecosystem functions would be used. However, rulemaking for the Compensatory Mitigation Rule

		Comment	Response		
<b>K-055-700</b>	2	16	18-54 10-15 55	Under the heading, "Temporary Workforce Housing," the report comments about how employers will likely provide workforce medical and dining facilities. Although the division has regulations governing dining facilities, it does not have regulations for medical facilities, and the current regulations for temporary workforce housing is inadequate. DPHSS must promulgate regulations for medical facilities and revise existing regulations for food facilities and temporary workforce housing.	
<b>K-055-701</b>	2	16	16-72 10-15 76	Under the heading, "Public Health and Human Services," the report makes no comments about the need for additional environmental health practitioners in DEH to respond to the pre-construction and post-construction build-up. The division is only recognized for its permitting activities (p. 16-83 to 16-84). The various environmental health programs and services provided by DEH need to be considered and funded accordingly.	
<b>K-055-702</b>	2	16	p. 16- 16-90 16-17	Under the heading "Notifiable Diseases", the report mentions of mosquito control. Mosquito surveillance and control is one of the responsibilities of DEH. Currently, the program is only partially active. DEH will not be able to adequately respond to a major vector-borne outbreak without sufficient personnel, equipment, and training. Furthermore, the division disagrees with the report's comment that there will be no impact from the build-up. A single imported case of Dengue Fever or malaria can cause a local outbreak since the island has the mosquito species that can transmit these diseases ( <i>Anopheles</i> and <i>Aedes</i> ).	
<b>K-055-703</b>	2	Appendix 6.9	p. 4- 111 Table 4.4- 93	The Division is uncertain how the numbers were derived. Also, the report assumes that there will be increases of activities in only the permitting of facilities and if monitoring, which is incorrect. In the pre-construction (and certain periods of the construction phase) at total of 15 division staff will be necessary to issue permits, inspect facilities, and regulate imported commodities in response to the anticipated off-island construction workers. Additional personnel will be needed if the military personnel, its dependents, and all other population are included in the count.	

recognizes the wide variety of aquatic resources present in the United States and the evolving nature of science regarding aquatic ecosystem restoration make the establishment of standard assessment methodologies impracticable. The assessment for this EIS used an historically approved methodology (percent coral cover), supplemented by other methods such as the use of Light Detection and Ranging (LIDAR) satellite photos, for quantifying impacts to affected coral reef ecosystems impacted by the proposed transient CVN wharf and associated dredging. DoD believes that use of the percent coral cover methodology, supplemented by use of LIDAR satellite photos, is the "best currently available science" to attempt to capture the thousands of elements that comprise the function of a coral reef ecosystem. DoD's assessment is currently under review by the US Army Corps of Engineers, the agency charged with implementing dredge and fill permits under CWA Section 404, and other Federal agencies. The FEIS will be updated to reflect the latest developments in this review.

#### **K-055-389**

Thank you for your comment. The text the commenter is referring to is describing areas shallower than 60 feet that may be affected, but are not covered in coral. In regards to survey depth, the Navy has already overestimated the impacts to the dredged area in depth and laterally. The Navy does not plan to survey deeper than 60 feet. The indirect impacts are addressed in the EIS and HEA in detail. There is supporting text and tables assessing indirect impacts, including Figure 11.2-3, which depicts the estimated limits of sediment accumulation exceeding 6 mm for the duration of the dredging project within the Aircraft Carrier Fairway and Berthing Area.

Section F of the HEA includes 3-d measurements of predicted coral loss.

#### **K-055-390**

Thank you for your comment. Please see response to K-055-388.

Case No.	Page No.	Comment	Recommendation / Mitigation / Proposed Condition
K-055-704	2	There is no consideration or impact assessment regarding how the military build-up may impact the Over-the-Air and specifically new digital broadcasting technology (Barrigada facility and Mangilao facility)	The military (DOD) shall conduct a study to assess any impacts the military buildup may have on the over-the-air quality of transmission, which may affect the community's access to public television and important public safety alerts.
	2	The transition to Digital Transmission is resulting in the increased demand for more quality programming that are proven highly educational, informational and inspirational. (PBS GUAM continues to receive requests for more national programs that our station does not subscribe to, which means additional costs). Many of the military personnel are very familiar with national public TV broadcasts (such as NOVA, FRONTLINE, NATURE, SESAME STREET, etc.), so they are a large customer base. Also there is increased demand for more local programs that meet stringent PBS standards, especially at it builds more current local programs that will help build cohesion among Guam's local and military citizens. (PBS GUAM does not have the funding to accommodate the growth needed in the production and technical departments.)	The military (DOD) shall help fund and support a local Guam study to assess any impacts the military buildup may have on the over-the-air quality of transmission, which may affect the community's access to public television and important public safety alerts. The military (DOD) shall provide funding support of local and national PBS and other public television programs to serve the quality educational needs of their military personnel, families and growing population of local citizens as a result of the military build-up. The military (DOD) shall also support public television as it serves both military and civilian families by funding partnerships between PBS GUAM and military educational institutions (i.e. DODEA, military libraries, and daycare centers).

**K-055-391**

Thank you for your comment. On page 6 of the HEA the following statement is made: "Study authors acknowledge uncertainties in their analysis, and suggest a valuation range extending between 34% below and 28% above their "core" estimate. This implies a lost reef value for the CVN project (Polaris Point Alternative) between approximately \$5.9 and \$11.4 million (2009)."

The term "average" is not used in this case to provide a measure of the quality of habitat, but is rather a mathematical average calculated from survey data. The methods used to calculate value were used recently in a Guam-specific study, and take into account average value based on various factors important to residents, such as rare corals, tourism, and others.

The report you refer to is a final report and will not be edited. There may be updates to the report to support the Army Corps of Engineers permits, but they would be considered new reports with new information.

**K-055-392**

Thank you for your comment. Habitat assessment methodologies which evaluate the function of affected aquatic resources, such as coral reef ecosystems, are an evolving science and the adequacies of existing and new methodologies are heavily debated in the scientific community. Ideally, a standard assessment technique that accurately characterizes and quantifies losses and gains of coral reef ecosystem functions would be used. However, rulemaking for the Compensatory Mitigation Rule recognizes the wide variety of aquatic resources present in the United States and the evolving nature of science regarding aquatic ecosystem restoration make the establishment of standard assessment methodologies impracticable. The assessment for this EIS used an historically approved methodology (percent coral cover), supplemented by other methods such as the use of Light Detection and Ranging (LIDAR) satellite photos, for quantifying impacts to affected coral reef

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REVIEW COMMENTS SHEET

Comment ID	Page	Line	Comment	Recommendation/Response/Resolution
K-055-704	2	16	37	
	2	16	103	
	2	16		

Comment ID	Page	Line	Comment	Recommendation/Response/Resolution
			There is a lack of inclusion of public television to address communication and broadcasting needs. More importantly, communication is not properly planned to address community engagement as pointed out in Vol. 2, Chapter 16. For instance, the DEIS reflects that "When overseas bases are placed in areas culturally different from the majority of military personnel, there often exists a feeling of disconnect between incoming military personnel's culture and customs and that of the local population. On Guam, discussions on this often involve the concept of military personnel's respect for Guam's people. There is no clear evidence that this feeling is any more or less pronounced on Guam than elsewhere. However, the most common suggestion for the military in conducting the proposed action was better communication (RUM 2008)."	The military (DOD) shall include media partnerships with the local public television station (PBS GUAM) to help build cohesion between military personnel and the local population of Guam. The military (DOD) shall work closely with PBS GUAM to ensure that the military population receive the best local and national public broadcasting services, whether through paid services or over-the-air transmission. This collaboration will help address Chamorro issues and Community Cohesion.
			Because there is an anticipated growth in telecommunication-related careers and activities, the DEIS does not address the need for professional development services for individuals in the broadcasting or telecommunications field (UDG or GCC does not provide the highly technical training needed to accommodate PBS GUAM or the commercial stations serving the Island). A study was not conducted, so there is no anticipated level of impact the build-up will have on the broadcasting industry.	The military (DOD) shall include funding for broadcasting/media professional development services, and work together with PBS GUAM in helping to meet the needs of this industry especially its workforce development.

ecosystems impacted by the proposed transient CVN wharf and associated dredging. DoD believes that use of the percent coral cover methodology, supplemented by use of LIDAR satellite photos, is the "best currently available science" to attempt to capture the thousands of elements that comprise the function of a coral reef ecosystem. DoD's assessment is currently under review by the US Army Corps of Engineers, the agency charged with implementing dredge and fill permits under CWA Section 404, and other Federal agencies. The FEIS will be updated to reflect the latest developments in this review.

**K-055-393**

Thank you for your comment. The report you refer to is a final report and will not be edited. There may be updates to the report to support the Army Corps of Engineers permits, but they would be considered new reports with new information. The following text includes information to address your comment.

A detailed compensatory mitigation plan would be submitted as part of the Clean Water Act 404 permit application for construction affecting the navigable waters of the United States (including the CVN transient wharf). Due to the ongoing review of DoD's habitat assessment methodology for coral reef ecosystems and associated uncertainties regarding the scope of mitigation required, a detailed mitigation plan has not been developed nor will one be available for incorporation into the FEIS. However, a number of mitigation options, including watershed restoration and the use of artificial reefs, are discussed in programmatic nature in Volume 4, Section 11.2 of the FEIS. DoD recognizes that, as part of the CWA Sec. 404 permitting process, additional NEPA documentation may be required to address specific permitting requirements and implementation of required compensatory mitigations.

**K-055-394**

Thank you for your comment. The HEA model assumes the areas

<b>K-055-705</b>	9	iii	Tbl ES-1	Off-island construction workers for Direct DoD projects and Off-island workers for Indirect/Induced Jobs: DOD should consider the availability of applicants from the local labor market (Guam and Micronesia) before expanding its area of consideration to attract applicants from national wide. Although Guam has an unemployment rate, the buildup will bring new jobs to Guam (Source: GDOL 2007, 8.3%)	Ensure DOD Recruitment Plan, Navy's Merit Promotion Plan (Appropriated and Non-Appropriated), policies and procedures define the Area of Consideration to be as small as Guam and Micronesia before expanding the area of search to include nation wide; and Commitment to restructure civilian positions and recruit at the entry level with known promotion opportunity. This recruitment strategy would allow jobs to be filled by local applicants; and Special consideration should be given and the right of "first refusal" to employees (appropriated and non-appropriated) when there is a change of charge on the contract.
<b>K-055-706</b>	9	viii	Tbl ES-5	Summary of Public Services Agency Key Staffing Requirements Guam Alien Labor Processing & Certification Division (ALPCD) within the Guam Department of Labor (GDOL); In addition to ALPCD, the Guam Employment Service (GES) will also be influenced by the growth in permit requests (applications to recruit for H-26 temporary foreign workers). One of the federal mandates is the 30-day labor testing. GES is responsible for this recruitment strategy. GES is 100% federally funded (Wagner-Peyser) and with the anticipated increase in population, we also anticipate an increase of the formula grant.	DEIS to include in Table ES-5: GES staffing requirements for peak year to show 5 for both areas: unconstrained and constrained; and 0 in Year 2020. All additional staffing requirements for ALPCD and GES will be recruited on a Limited Term Appointment (LTA). Thus, LTA employees will be terminated gradually as the workload decreases.
<b>K-055-707</b>	1-4			Lack of socioeconomic data pertaining to Guam and tracking of such data	Federal funding should be made available to Guam Department of Labor to hire additional staff to generate these socioeconomic reports and data

directly impacted by dredging are considered permanently injured, and therefore experience a 100% loss in ecological services in perpetuity (i.e., no recovery). Any recovery would be lost during future maintenance dredging. Indirect impacts are expected to be temporary, and affected areas are expected to recover to baseline condition within five years, which the Navy believes to be a conservative assumption in light of the expected low level of initial impact and relevant literature (e.g., Brown et al.'s (1990) study of dredging impacts on intertidal coral reefs at Ko Phuket, Thailand, which suggests a one to two year recovery period is reasonable for impacts of this type). The revised HEA report and supporting studies Section D in Volume 9 of the EIS provides a more in depth literature review. The matter of recovery is complex. The Navy continues to view 5 years as an overestimate of the recovery time.

**K-055-395**

Thank you for your comment. The report you refer to is a final report and will not be edited. There may be updates to the report to support the Army Corps of Engineers permits, but they would be considered new reports with new information.

**K-055-396**

Thank you for your comment. The Navy coral surveys were conducted in-situ at the sites of the proposed project area. As noted previously the Navy has used a scientifically recognized and defensible survey methodology. Further, the analysis was performed by recognized experts from the University of Hawaii and the National Coral Reef Institute.

**K-055-397**

Thank you for your comment. The HEA referred to (Volume 9, Appendix

K-055-708	9	1-5	2014 is preferred year to physically relocate Marines and their families; the buildup is projected to take at least 5 years to get infrastructure in place and the construction (housing) needed for this development; only limited amount of personnel to arrive in Guam in 2010. Development of system to track accurate population is dire when it comes to population count of those foreign H2B workers who have decided to make Guam their home; Gov/Guam agencies must keep diligent records instead of confusing documents.	The DOD must publish demographic information to be made available to the general public, especially on the increase of the population of Guam even after the 2010 Census is taken.
K-055-709	9	1-6	Projections for population and employment impacts are included in SIAS; New population sources are categorically H2 workers/Micronesians/military and dependents. Cycle of life is a measurement of population growth with young people having families. Population changes and trends on Guam started taking place since 1920 to 2000, including household characteristics in the Northern/Central/Southern demographics.	Population impact of an increase of 79,178 more people coming to live on Guam is severely intense for short 5 yr period. It should be lessened or the amount of time in terms of years for this type of demographics should be extended to 20 years with incremental addition, but certainly not 5 years.
K-055-710	9	1-6	There will be tremendous adverse impact from the buildup affecting major categories of socioeconomic resources, economic activity, population, and public services; shock and growth unlike the 80s boom; Guam itself will be transformed	The DOD must ensure that the impact from this buildup does not disrupt the livelihood of the people who call Guam their home and that resources are made readily available in times of emergency: resources for the very basic fundamental right to survive, especially jobs, to be made available to the local population.
K-055-711	9	1-8	Loss of Chamorro culture, identity and heritage and especially loss of land are grave issues for most Chamorros	DoD must commit to the indefinite preservation and protection of the Chamorro culture, language, heritage and nature of Guam. Grants, when applied for, must be given priority for the indigenous preservation of the Chamorro culture, heritage, artifacts, sacred grounds (naftan ma'hai'nata) and teaching of the Chamorro language.

E) is a description of how mitigation could look. Through coordination with our regulatory partners, the Navy will develop a compensatory mitigation package that will conform to the regulatory guidance provided by USACE.

**K-055-398**

Thank you for your comments. Specific members of the Army AMDTF are not relevant to the analysis.

**K-055-399**

Thank you for your comment. Volume 5, Chapter 2 describes the Army Missile Defense proposed action. No land acquisition is proposed to support the Army proposed action.

**K-055-400**

Thank you for your comment. Weapons emplacement sites are described in Sections 2.3.3.2 and 2.4.3.

**K-055-401**

Thank you for your comments. Environmental impacts caused by the weapons emplacement sites are analyzed in the Classified Appendix. The classified appendix was available for review by federal resource agencies, including USFWS.

**K-055-402**

Thank you for your comment. The term contractors does not imply temporary foreign workers. The term contractors is used to identify individuals who would work in support of the military base. There would be a permanent requirement to fill these jobs and so population associated with these jobs is considered permanent.

K-055-712		<p>There is no guarantee the unemployment rate would decline because foreign and off-island hire take on jobs the locals did not fill. Economic activity and related aspects discussed such as labor supply, water supply, housing, construction materials availability, commerce, transportation (congestion) and government processing. Types of jobs available are not in demand driven industries and are low-paying minimum wage. The same economic indicators are used: employment, income, housing. Government revenues and Gross Island Product (GIP). Economic characteristics show that GovGuam is the major employer on Guam; furthermore, the amount of people employed by GovGuam is high compared to the U.S. overall. Peak impact years are stated as years that construction and operational phases are scheduled to overlap. In the future, it is predicted that more women will occupy the workforce.</p>	<p>DoD should provide funding to GDOL to continue with labor market testing for the assessment and projection of wages and skills, including other job market factors to identify sustainable demand driven jobs and occupations needed before, during and post Guam Buildup phases. For Pre buildup period, Federally contracted businesses, may want to refurbish/renovate/renew old, abandoned, commercial buildings for Workforce housing for H2B construction workers as barracks and living facilities.</p>
K-055-713		<p>Public services will be heavily impacted as seen already</p>	<p>DoD must be a financial partner with Guam Power Authority and Guam Water Works Authority and other public services departments and agencies of the government of Guam</p>

**K-055-403**

Thank you for your comment. The DoD is committed to the protection and responsible stewardship of the environment. In addition, the DoD is committed to the safe handling and use of all hazardous substances, including fuels, lubricants, solvents, munitions and explosives of concern (MEC), nuclear materials, pesticides, herbicides, PCBs, and other hazardous substances. In fact, when feasible, the DoD attempts to reduce or eliminate the use of various hazardous substances to the greatest extent possible and substituting them for less toxic substances.

When using hazardous substances, environmental laws and regulations (e.g., RCRA) must be followed by DoD that are designed to be protective of human health, welfare, and the environment. In order to implement these laws and regulations, DoD has developed various procedures, protocol, and directives designed to proactively eliminate or minimize the inadvertent leakage, spill or release of pollutants to the environment. These actions involve comprehensive administrative, engineering, and operations mandates, best management practices (BMPs), standard operating procedures (SOPs), and controls in place to prevent or minimize the inadvertent leakage, spill, or release of hazardous/toxic substances. These BMPs, SOPs, and other controls are fully described in the EIS document (Volume 7). Note that BMPs and SOPs are not considered “mitigation measures” because these actions are being done as part of existing laws and regulations and not as part of new “mitigation”. However, if a leak, release, or spill is suspected or confirmed, aggressive mitigation measures are used to first clean up the leak, spill, or release as quickly as possible, followed by an assessment of risks to the public and/or the environment and a plan to remediate these risk concerns to within regulatory acceptable levels. These actions generally include environmental media (e.g., groundwater, surface water, soil, air, and/or biota) sampling and monitoring to ensure that and hazards are mitigated quickly and effectively. In many cases, part of remediation plan includes the requirement to perform regularly scheduled long-term sampling and monitoring of environmental media to

<p><b>K-055-714</b></p>	<p>9</p>	<p>15-20</p>	<p>3.4.4.4</p>	<p>SIAS - Guam Department of Labor: The military expansion in the Mariana Islands poses many potential socio-economic changes that are best addressed with proper economic modeling to generate a range of data projections and produce forecasts for demographics, gross regional product, output (sales), wages and salaries, personnel income, employment and labor force to provide the basis for the analysis related to housing, retail, schools, social services, and local government impacts. The approach must quantitatively measure where the island is now in terms of human capital, forecast what it will look like incrementally over the next 10 years, identify what resources are available and what resources are lacking, and provide practical alternatives on how best to address these shortfalls.</p>	<p>The plan for labor growth will specify all supporting data and assumptions used in making the recommendations. While the plan can be phased to address resources availability, the complete plan needs to include the following elements:</p> <ul style="list-style-type: none"> <li>- A database of current available workers in terms of skills sets and trends that have occurred in these skills sets over the past decade.</li> <li>- A listing of all potential military projects with as much definition as practically possible over the next 15 years.</li> <li>- A forecast of the demand for skilled labors by skills sets, including the primary construction industry, the secondary service industry (support service) and the tertiary maintenance and repair industry over the next 10 years.</li> <li>- A projection of certain significant aspects of the future Guam economy and, in particular, changes to Guam's cost of living in terms of housing, food, utilities, taxes, etc.</li> </ul>
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ensure that remedial actions have been effective. If long-term monitoring indicates that risks to human health or the environment are still unacceptable, more aggressive remediation approaches are considered. In fact, many such clean-up efforts are underway. As part of the clean-up process, the DoD provides various opportunities for the general public, stakeholders, and other interested parties to get involved in the process. One such opportunity is Restoration Advisory Boards (RABs) where interested party questions and concerns may be communicated. For information on the status of the cleanup efforts of specific hazardous waste sites, the associated RAB provides a vehicle to obtain such information and for the general public/stakeholders to voice their concerns. These comprehensive actions (e.g., BMPs, SOPs, etc.) will protect public health, welfare, and the environment from adverse impacts associated with the use of hazardous substances.

**K-055-404**

Thank you for your comment. Class D airspace refers to the class of airspace designated by the FAA for the level of airspace management and control. Class D airspace is defined in detail in Volume 2, Chapter 71.1 and in Table 7.1-1, and Figure 7.1-1. Class D Airspace (Controlled). This airspace is applied to airports with operating control towers but where the traffic volume does not meet Class C or Class B standards. Traffic usually lacks the heavy jet transport activity but often includes a complex mix of general aviation, turbo prop and business jet traffic. Radar service is often available. The above airport elevation shape is a 5 nm (9.3 km) radius surrounding an operational control tower from the surface up to, but not including, 2,500 ft (762 m) AGL. Class D airspace may have one or more extensions to accommodate IFR traffic. Where radar service is available, air traffic control would provide separation service to IFR traffic and to participating VFR traffic. All traffic must maintain radio communication with the tower or have prior arrangements for operating within the Class D airspace. Class D airspace is charted on sectional charts and IFR Enroute Low Altitude Charts. Flight operations

<p><b>K-055-714</b></p>		<p>It is recognized that the effectiveness of the strategic planning efforts is dependent upon the accuracy of the forecasts and on the ability of planning efforts to anticipate and adjust to the changes in the forecast. Preliminary indications of the scope, magnitude, and duration of the increase in military activity strongly suggest for an immediate need for a comprehensive economic plan with specific focus on human resources, training, employment, and employment support (i.e. transportation, housing, child care, etc.).</p> <p>The situational context of Guam's labor market and the results of on-going military growth discussions pose concerns with regard to workforce sustainability and impact of Alien Labor Force (H2B) to the local and regional community. The recent U.S. Congress approval to remove the restriction of the H2B on military related construction poses several challenges for an island economy and all workforce related issues and the ancillary social economic issues.</p>
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commonly involve Class D airspace and must be coordinated by the control tower. There are usually a large number of civilian and military flight training operations occurring in and around Class D airspace.

**K-055-405**

Thank you for your comment. A site-specific geotechnical investigation was not undertaken for all of the areas covered in the EIS prior to development of the EIS; however, geotechnical surveys to identify geological features and potential constraints will be completed prior to construction.

**K-055-406**

Thank you for your comment. This EIS is not written to prepare for the worst; it is written to analyze impacts that are likely to occur. Hazards related to sinkholes/topography are not expected. If a topographic feature is deemed a hazard due to its proximity to a structure, signs to warn of that hazard will be placed at the feature.

**K-055-407**

Thank you for your comments. The FEIS contains updated information reflecting the on-going investigation of potential wetland areas. The project design will avoid wetlands to the extent practicable. Potential impacts to terrestrial species are presented in Chapter 10, Terrestrial Biological Resources.

**K-055-408**

Thank you for your comment. A discussion of greenhouse gas (GHG) emissions, represented in terms of carbon dioxide equivalency, and their contribution to global warming has been added to the FEIS in Volume 7. GHG effects are worldwide and therefore it not possible to evaluate the impacts of the project alone on global effects. However, the carbon

<p><b>K-055-715</b></p>		<p>Impact of Service and Technical Capacity at Guam Department of Labor Compliance and Enforcement</p> <ul style="list-style-type: none"> <li>o Needs for Alien Labor Processing &amp; Certification Division (ALPCD) enforcement and compliance – considering all budget categories (personnel, equipment, supplies, rental, capital outlay, etc.)</li> <li>o Funding associated with H-2B compliance and fraud/abuse prevention for ALPCD</li> <li>o Technology and Systems</li> <li>o Personnel and Administrative Services</li> <li>o Needs of GDOL to support an increased department workload as a result of the increased H-2B population to include: <ul style="list-style-type: none"> <li>Labor market testing within the Guam Employment Service (Wagner Peysen Act)</li> <li>Support for Workman's Compensation &amp; OSHA due to increase in construction activity and the injuries associated with this type of work</li> <li>Support for Wage &amp; Hour division to prevent wage abuses</li> </ul> </li> </ul>
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dioxide equivalency for all GHGs generated by construction and operation of the proposed action has been included in the report.

**K-055-409**

Thank you for your comment. As shown in Tables 5.2-1 to 5.2-3 of Volume 5, the predicted emissions of criteria pollutants are generally more than two orders of magnitude (hundreds of times) below the significance criterion 250 TPY described in the DEIS. Therefore the statement made in the EIS is appropriate and no further analysis of impacts is required.

**K-055-410**

Thank you for your comment. The sentence was removed.

**K-055-411**

Thank you for your comment. We have been in contact with the Government of Guam, Department of Parks and Recreation (DPR), regarding the topic of recreational resources, which includes, among other things, conditions of the existing facilities, types of uses, and visitors to the uses. To our knowledge, based on conversation with DPR staff, DPR has not kept nor maintained visitor counts to the recreational resources it administers. As such, a carrying capacity study for the recreational resources has been proposed as a mitigation measure. The data obtained from a study like this would facilitate development of baseline conditions and management of resources.

**K-055-412**

Thank you for your comment. The proposed actions are complex and have many components. In order to characterize the affected environment and potential impacts, sufficient detail needed to be included in the Draft EIS. The Draft EIS was broken down by Volumes for each major action, and the Executive Summary provides an overview

K-055-716

have identified the following to be included in the Guam military relocation EIS/FEIS:  
An assessment and projection of wages by skills sets as well as other job desirability factors, including the potential for upward mobility, and a projection by age cohort from both Guam, Northern Marianas, and insular areas in the Pacific jurisdiction to measure potential labor supply alternatives, including attracting those considered non-employed away from continued dependence on public assistance programs is needed in the EIS.  
Identification and assessment of the sustained job increase after construction, including the sustained job increases in the military and public/private sectors is required to insure the island is not negatively impacted by meeting immediate short term needs and failing to provide for sustained requirements that could have negative implications for Guam's private sector and its military sector.  
A listing of training requirements to take the current workforce skill level to meet as many of the skill levels anticipated over the next 15 years. Current training resources need to be evaluated for its current effectiveness in meeting present and anticipated training needs as well as the capacity to provide specialized training to meet anticipated needs. The evaluation should include public sector providers such as the Guam Public School System (GPSS), Guam Community College (GCC), University of Guam (UOG), as well as private, non-profit training providers such as the Guam Contractors Association Trades Academy (GCATA), Guam Hotel and Restaurant Association (GHRA), and other civic and private for-profit training providers.

of the proposed actions to facilitate readability. The Draft EIS was developed with the intent to balance readability with sufficient technical information.

**K-055-413**

Thank you for your comment. The Navy agrees that the Bureau of Statistics and Plans (BSP) is responsible for conducting local federal consistency review in accordance with the federal Coastal Zone Management Act. The federal consistency determination assessment for the proposed actions on Guam was submitted to BSP and correspondence is included as Appendix H.

**K-055-414**

Thank you for your comment. The FEIS has been edited to include groundwater in the list of water sources potentially impacted by erosion in Northern Guam. BMPs are being implemented, as described in Volume 7.

**K-055-415**

Thank you for your comment.

Section 3.2, Environmental Consequences, lists the Determination of Significance of impacts at the beginning of each chapter; please refer to this section for further clarification on determinations.

BMPs, when properly implemented, prevent erosion. A list of BMPs and their descriptions can be found in Volume 7.

**K-055-416**

Thank you for your comment. The percentage of overlay refuge is now consistent in the FEIS.

<p><b>K-055-717</b></p>		<p>Employees who live and work in Guam will probably have higher income as the buildup will bring higher paying jobs, the Government of Guam is in the process of approving another implementation of a Hay Study for wage increase and to help improve the standard of living.</p>	<p>The EIS must address the impact upon the availability of teachers and other specialty services the DODEA system will have upon Guam's public and private school systems. Inclusive within this assessment is not only the additional demand that will be created by an expanded DODEA system but also those military dependents that would be able to provide services to the civilian school systems.</p> <p>The EIS should provide a monetary quantification of the cost of training to be incurred by the civilian sector and the Government of Guam to meet DoD's labor requirements and an evaluation of all potential funding sources that may be available to address the training costs.</p> <p>An evaluation of potential workforce availability, including sources of labor, current and anticipated market for industrial skilled labors, and the barriers for attracting, recruiting, and retaining these labor forces over the next 10 years.</p> <p>The EIS should address the impact the inclusion of military dependents will have upon federal dollars and training slots that would otherwise be available for Guam's residents who are displaced workers as military dependents also qualify under federal displaced worker programs. The EIS should identify mechanisms to mitigate any negative impacts.</p>
<p><b>K-055-718</b></p>	<p>9   4-147  Tbl. 4.2-3</p>	<p>Estimated total population increase of 33,608 from off-island</p>	<p>This is not an accurate projection of population increase due to the buildup project. DoD must re-calculate and show true count of those people coming to Guam now in 2010 and projected to 2020.</p>

**K-055-417**

Thank you for your comment. Decontamination fluids are disposed of in accordance with federal, state, and local laws and regulations as described in Volume 2, Chapter 17.

**K-055-418**

Thank you for your comment. Volume 2, Section 6 clarifies that low-level operations (e.g., helicopter insertions) is transient and of short duration. Combined with the distance between operational areas and adjacent public land use, there is no contribution to the community noise levels on adjacent non-military land or effects to other sensitive receptors from aircraft noise during these operations. Potential noise impacts of hovering aircraft would have longer durations than those passing overhead. Hovering events can last a couple of minutes where the sound heard by a passing aircraft only lasts a few seconds. Proposed exercises involving hovering maneuvers would be performed at established landing zones and developed airfields where the general public is excluded; therefore, public exposure to noise from hovering events would not occur.

**K-055-419**

Thank you for your comment. Impacts from the landing zones are evaluated in Section 10.2.

**K-055-420**

Thank you for your comment. The DoD understands and recognizes the significance of access to cultural sites located on DoD property in Guam. Restricting access to some areas at certain times is required to maintain public safety. However, it is the intent of DoD to maintain public access to Mt. Jumullong Manglo (including the Mt. Lam Lam trail) consistent with safety and operational requirements. Final plans concerning access to Mt. Jumullong Manglo (as accessed by the Mt.

K-055-719	Tbl. 4.2-3	Additional new population will have adverse effect on island's demographic composition. At the time this information was provided, it showed that males have a higher number for the employment component at 74.2% compared to females at 25.8% (see Table 4.2-7); ethnically, this population will consist of Asian/other Micronesian group including the Philippines and consequently will diminish the Chamorro population and/or individuals born in Guam (Source: U.S. Census Guam 2000). Military component incoming population will have a higher ratio of males to females and that of a younger generation. Economic impacts include civilian labor force demand, FAS in-migrants, temporary foreign workers (H2Bs), and the Philippines (same information given in earlier chapters).	Population impact severely intense for 5 yr period and should be lessened from projected 79,178 additional people coming to live on Guam. Population impact of an increase of 79,178 more people coming to live on Guam is severely intense for short 5 yr period. It should be lessened or the amount of time in terms of years for this type of demographics should be extended to 20 years with incremental addition, but certainly not 5 years.
K-055-720		The education system needs improvement to accommodate the incoming population  On education, public schools in all levels, Primary, secondary, and high school education is provided via GPSS (40 total) when this document was prepared at the time; as well as various other private schools (27 total) on Guam. Education for dependents of active military personnel is provided through DDESS (Domestic Dependent Elementary and Secondary Schools; in Guam, DDESS was just created, but referred as DODEA) which has a total of 2 elementary, 2 middles, and 1 high school on Guam. Higher education is provided by GCC and UOG, both of which are fully accredited educational institutions.	GDOL continues to work with our educational partners for initiatives in training and education for workforce readiness.  GDOL is working with Education Subcommittee on the Civilian Military Task Force to assist with efforts to establish an educational framework to achieve successful transitions for all of Guam's students in the education system as we partner with GDOE, GCC, UOG for workforce readiness.

Lam Lam trail) have not been developed yet, but the DoD looks forward to working with stakeholders including groups that use the area for traditional religious activities to develop plans for cultural stewardship and access that balances operational needs, public safety concerns, and the continuing public use and enjoyment of this site.

**K-055-421**

Thank you for your comment. Depending upon the level of use, erosion of the trail could occur. This is discussed under Chapter 3, Geological Resources.

**K-055-422**

Thank you for your comment. Mitigation measures are proposed in the EIS to avoid or reduce impacts identified during the NEPA environmental review process. Specific mitigation measures are described in the resource chapters that follow Chapter 2. DoD commitment to implement mitigation measures would be identified in the Record of Decision (ROD).

**K-055-423**

Thank you for your comment. The EIS describes the intensive selection process that the DoD went through to select alternatives for the location of the firing range on Guam in Section 2.3.1. Specific reasons why the firing range could not be located on the west coast at Finegayan include the following. There was concern that the amount and location of submerged land that would be encumbered by the SDZs generated by the ranges on the west coast would be an unacceptable impact on recreational activities and traditional fishing areas, which are prevalent on the west coast. Secondly, higher density civilian development in vicinity of ranges increases risk of encroachment.

<b>K-055-720</b>	9		Estimates are given for the number of skilled workers needed for the construction industry ranging from 15,000 to 30,000.	Filipino recruitment have had a more positive impact historically on Guam contractors from past experience versus other workers from Asian countries.
<b>K-055-721</b>			CNMI has related economic role this time around with buildup	This is related to the Strategic Plan with the Regional Workforce Development Council for workforce development
<b>K-055-722</b>			SIAS (Socioeconomic Impact Assessment Study) to support socioeconomics of the military relocation in the EIS. SIAS will provide foundation for Fiscal Impact as well.	The EIS must address the impact upon the availability of teachers and other specialty services the DODEA system will have upon Guam's public and private school systems. Inclusive within this assessment is not only the additional demand that will be created by an expanded DODEA system but also those military dependents that would be able to provide services to the civilian school systems. The EIS should provide a monetary quantification of the cost of training to be incurred by the civilian sector and the Government of Guam to meet DoD's labor requirements and an evaluation of all potential funding sources that may be available to address the training costs. An evaluation of potential workforce availability, including sources of labor, current and anticipated market for industrial skilled labors, and the barriers for attracting, recruiting, and retaining these labor forces over the next 10 years. The EIS should address the impact the inclusion of military dependents will have upon federal dollars and training slots that would otherwise be available for Guam's residents who are displaced workers as military dependents also qualify under federal displaced worker programs. The EIS should identify mechanisms to mitigate any negative impacts.
<b>K-055-723</b>	Vol 9 B	SIAS	Preliminary dates given for DEIS 45-day review was April 2009 DEIS released November 20, 2009, seven months later	

**K-055-424**

Thank you for your comment. This criteria used to evaluate candidate aviation training sites refers to the need for flexibility for potential alternative uses for the subject site.

**K-055-425**

Thank you for your comment. Stormwater management techniques would be implemented as appropriate throughout the proposed DoD actions.

**K-055-426**

Thank you for your comment.

**K-055-427**

Thank you for your comment. The federal government does not recognize state (or territorial) designations on federal property. The federal government does respect GovGuam's authority in the marine preserves with respect to hunting and fishing regulations. These regulations will be incorporated in the updated Joint Region Integrated Natural Resource Management Plan.

**K-055-428**

Thank you for your comment. The existing training areas and other land use constraints are shown in other figures in Volume 2, Chapter 8 as follows: Andersen AFB Figure 8.1-6; NCTS Finegayan Figure 8.1-9; Andersen South Figure 8.1-11; Barrigada Figure 8.1-12; Apra Harbor Figure 8.1-14; and Naval Munitions Site Figure 8.1-18.

**K-055-429**

Thank you for your comment. The boundaries of the Marianas Trench Monument were established by Presidential Proclamation independent of the proposed action described in the EIS. DoD does not have

<b>K-055-723</b>	Vol 9 B	SIAS	Record of Decision also set at January 2010 but won't be published till July or August 2010	
	Vol 9 B	SIAS	Final SIAS also was supposed to be released in Sept/Oct 2009 but not yet done	
	Vol 9 B	SIAS	Gary Kuwabara spoke at Workforce Summit/12th Micronesian Chief Executives Summit just recently held in Guam, Dec 2009 sponsored by GDOL	The plan for labor growth will specify all supporting data and assumptions used in making the recommendations. Some of these recommendations are the outcome of the Regional Workforce Development Council (RWDC) Strategic Plan for 2010-2015 as outlined at the 12th Workforce Summit held November 30-December 2, 2009. The result of this process represents a coherent and practical framework aligned through the three overarching strategic Plan focus areas: 1. Workforce Demand Initiatives; 2. Workforce Supply Initiatives; 3. Comprehensive local/regional based training systems
	Vol 9 B	SIAS	Federal Regional Council (FRC) held several meetings regarding Guam Buildup	GDOL Director attended these meetings
<b>K-055-724</b>	Vol 9 B	SIAS	Notes indicate that 'data was suspicious'; manner in which it was collected? Data not accurate?	GDOL must be provided with funding for research and data collection
<b>K-055-725</b>	Vol 9 B	SIAS	Wealth of information available in summaries of meetings held before and during DEIS phases of Buildup	GDOL has been planning for this buildup
	Vol 9 B	SIAS	Other Federal departments/agencies involved in data analysis for EIS document	
<b>K-055-726</b>	Vol 9 B	SIAS	GDOL NOT in Appx C list of questions for GovGuam departments/agencies	DoD should include GDOL in this particular or any other forthcoming DEIS discussion. GDOL should be included in analysis and participation

authority over the designation and is not able to provide a substantive response to the comment.

**K-055-430**

Thank you for your comment. The Dos Amantes Plan was approved by Guam Land Use Commission and the Final EIS includes an updated graphic of the approved plan with additional descriptive text.

**K-055-431**

Thank you for your comment. The sentence redundancy is eliminated in the Final EIS.

**K-055-432**

Thank you for your comment. You are correct and Final EIS corrects the agency name.

**K-055-433**

Thank you for your comment. Volume 2, Chapter 8 acknowledges that there are agricultural activities that are not related to USDA designated prime farmland soils. The prime farmlands soils and important farmlands are important for the discussion of consistency with the Farmland Protection Policy Act. The land use impact analysis on agriculture is based largely on the North and Central Guam Land Use Plan. Even though this plan has not been adopted by legislature, it represents the most recent planning document that incorporates community goals and objectives for future land use planning. The redundant sentence is deleted in the Final EIS.

**K-055-434**

Thank you for your comment. The North and Central Guam Land Use

K-055-727	SIAS (Socioeconomic Impact Assessment Study) to support socioeconomics of the military relocation in the EIS. SIAS will provide foundation for Fiscal Impact as well.	The top socioeconomic issues and concerns of the department are such that the approach must quantitatively measure where the island is now in terms of human capital, and forecast what it will look like incrementally by 2020; to identify what resources are available as well as what resources are lacking, and provide practical alternatives on how best to address these shortfalls in workforce development.
K-055-728		It is recognized that the effectiveness of the strategic planning efforts is dependent upon the accuracy of the forecasts and on the ability of planning efforts to anticipate and adjust to the changes in the forecast. Preliminary indications of the scope, magnitude, and duration of the military buildup strongly suggest for an immediate need for a comprehensive economic plan with specific focus on human resources, training, employment, and employment support (i.e. transportation, housing, child care, etc.).
K-055-729		Guam's labor market and the results of on-going military buildup discussions include concerns about workforce sustainability, long-term employment and the impact of foreign workers (H2B) to the local and regional community. This presents challenges for workforce related and socioeconomic issues.
K-055-730		An evaluation of manpower and staffing needs is also being developed to support the delivery of service at the One Stop Career Center and partners. Youth programs are also being expanded and developed to be available to our youth.

Plan (2009) is a GovGuam document that has not been adopted by legislature and this is acknowledged in the EIS Volume 2, Section 8.1.1.2. It was an important resource when assessing the land use impacts because 1) there was an extensive public involvement component that captured the community land use planning objectives, 2) it was current, and 3) it represented best available information. It was an important resource when assessing the land use impacts. Volume 2, Chapter 8 describes the planned land uses presented in the North and Central Land Use Plan and assesses whether the proposed action is consistent or compatible with the Plan.

The USDA prime farmland soils classification is not necessarily related to actual farming experience and has marginal value in assessing agricultural land use compatibility; however, the classification is relevant to the the assessment of consistency of Farmland Protection Policy Act.

The North and Central Guam Land Use Plan was deemed a more reliable resource for the reasons described, but disclosure of the inconsistencies in best available information is important in NEPA documents.

**K-055-435**

Thank you for your comment. Edit made as suggested in the Final EIS.

**K-055-436**

Thank you for your comment. Off-base roadway improvements under the proposed action are described in Volume 6. Widening of Route 4 is not included. Transportation routes to the landfill and potential impacts are addressed in the EIS prepared for the GovGuam landfill.

**K-055-437**

K-055-731

Based upon the work that has been undertaken by the Labor Subcommittee, they have identified the following to be included in the Guam military buildup EIS/OEIS:

- An assessment and projection of wages by skills sets as well as other job desirability factors, including the potential for upward mobility, and a projection by age cohort from both Guam, Northern Marianas, and insular areas in the Pacific jurisdiction to measure potential labor supply alternatives, including attracting those considered non-employed away from continued dependence on public assistance programs is needed in the EIS.
- Identification and assessment of the sustained job increase after construction, including the sustained job increases in the military and public/private sectors is required to insure the island is not negatively impacted by meeting immediate short term needs and failing to provide for sustained requirements that could have negative implications for Guam's private sector and its military sector.

Thank you for your comment. The reference to Route 18 has been changed to Route 15 in the FEIS.

**K-055-438**

Thank you for your comment. The USMC is concerned over the potential of non-auditory health effects. Although there has been considerable debate among environmental noise experts as to whether noise exposures below the level of hearing hazard result in other lasting health effects, the subject warrants further discussion in the EIS. The EIS has been modified to present a more detailed description of the studies dealing with non-hearing loss health effects.

**K-055-439**

Thank you for your comment. The EIS assesses the effects to the environment of all munitions planned for use on Guam training ranges and training areas. There are no plans for conducting mortar or artillery training on Guam. Training in the former Andersen South Housing area is limited to blank and non-explosive munitions. Prior to the use of any munitions, the current fire danger rating is assessed and appropriate measures are taken to limit any potential fire hazards. In cases where the fire danger rating is high, appropriate restrictions will be enforced to limit the use of anything that may cause a fire hazard. The EIS proposes new live-fire training within a self-contained indoor range at Finegayan and on 5 specifically designed ranges along Route 15. The indoor range includes a fire suppression system and the outdoor ranges incorporate fire management criteria into their design and operation.

**K-055-440**

Thank you for your comment. DoD was required to determine whether military relocation requirements could be met by excess, underutilized or otherwise available property held by DoD on Guam. Early development plans attempted to keep all activities on existing DoD lands. However, as

K-055-731			<p>• A listing of training requirements to take the current workforce skill to the next level to meet as many of the skill levels anticipated well into 2025. Current training resources need to be evaluated for its current effectiveness in meeting present and anticipated future training needs as well as the capacity to provide specialized training to meet anticipated needs. The evaluation should include partners in the public sector providers such as the Guam Public School System (GPSS), Guam Community College (GSS), University of Guam (UOG), as well as private, non-profit training providers such as the Guam Contractors Association Trades Academy (GCATA), Guam Hotel and Restaurant Association (GHRA), and other civic and private for-profit training providers.</p> <p>This is the concept of the power of e3: education, employment and economic development +1, ethics.</p>
K-055-732	9	<p>Figure ES-1 compares total labor force demand on Guam with and without the proposed action. At the 2014 peak, civilian labor force demand under the proposed action would be 75% higher than it would be without the project. By 2020, the difference declines to 12%. Section 4-3 of the SIAS describes in detail the projected distribution of increased jobs among on-and-off island labor sources.</p> <p>Reference including Volume, Pages and more Volume 9, page v, vi</p>	<p>Average and total gross income paid to Guam civilian workers would increase because of the proposed military relocation. The estimated average full-time equivalent (FTE) salary for jobs related to the construction phase (\$33,500) and the military operational phase (\$40,000) would be considerably higher than the 2007 Guam average FTE salary of \$28,150. With a rapid increase in economic activity and a limited pool of on-island labor, there would likely be competition for labor and thus upward pressure on wage rates. Total civilian labor force income is projected to increase by an estimated \$1.5 billion during the peak-year, according to the unconstrained scenario (Table ES-3).</p>

discussed in the FEIS (Volume 2, Chapter 2), after applying operational and environmental screening criteria, no contiguous DoD area on Guam was identified that could support all the land use and operational requirements of the action.

**K-055-441**

Thank you for your comment. DoD acknowledges that the issue of land acquisition is a complex and sensitive one with both historical and contemporary contexts. Should DoD determine that additional land is necessary to meet its requirements, DoD policy requires that it negotiate with affected public and private land owners in good faith, seek agreements to acquire desired lands interests and pay fair market value. DoD is confident that all parties can reach agreement on any potential land acquisition. Further, any proposed major DoD land acquisition, such as those associated with the preferred alternatives for the main cantonment and live fire ranges, must be approved by the Congressional defense committees. Specific areas being considered for acquisition are identified in the Final EIS.

**K-055-442**

Thank you for your comment. Should DoD determine that additional land is necessary to meet its requirements, DoD policy requires that it negotiate with affected public and private land owners in good faith, seek agreements to acquire desired lands interests and pay fair market value. Where circumstances exist that require resolution of issues such as ownership or value, procedures exist under eminent domain authority to resolve those questions. Eminent domain requires reimbursement at fair market value.

**K-055-443**

Thank you for your comment. Special Use Airspace is required to insure

<p><b>K-055-732</b></p>	<p>9 vi vi TBL Es-3</p>	<p>The Guam Department of Labor (GDOL) Alien Labor Processing and Certification Division (ALPCD) reported an increase in H-2B workers. The number of H-2B workers is now expected to increase due to new construction projects with the military buildup.</p>	<p>Background: The Guam Department of Labor (GDOL) and the Agency for Human Resources Development (AHRD) continues to implement workforce initiatives for training and education. It is anticipated that there will be an increase in on-site labor during the construction phases for military projects and labor will be from local and Micronesia region first and before expanding the recruitment area of consideration to nationwide workforce.</p>
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that adequate safety measures are taken for the firing range as described in the USMC Weapons Danger Zones for firing ranges and the type of weapons being used for training.

**K-055-444**

Thank you for your comment. Live-fire weapons ranges are proposed for the eastern shore of Guam. An indoor firing range is proposed within the Main Cantonment on the northern portion of Guam. Most live-fire training exercises would occur during daylight hours. Volume 2, Section 18.2 clarifies that the safety of the public as well as personnel participating in military training events is a primary consideration for all training activities. The fundamental guidance adhered to during training is that the range must be able to safely contain the hazard footprints of the weapons and equipment employed. The Range Safety Officer ensures that these hazardous areas are clear of personnel during training activities. After a live-fire event, the participating unit ensures that all weapons are safe and clear of live rounds. Standard Operating Procedures require that prior to conducting training activities, the public and non-participating personnel would be cleared from the area so that the only public health and safety issue would be if a training event exceeded the safety area boundaries. Risks to public health and safety are reduced by confirming that the training area is clear. The Navy would also notify the public of training activities through public notices. To ensure the safety of the public during live fire training, criteria from Marine Corps Order 3570.1B would define the Safety Distance Zones (SDZs) for the ranges based on the weapon and munitions characteristics to be used on the ranges. The range designs and associated SDZs would be certified in accordance with Marine Corps Order 3550.9, Marine Corps Ground Range Certification and Recertification Program.

**K-055-445**

Thank you for your comment. DoD has complied with Federal Coastal Consistency procedures for the proposed military relocation program.

<b>K-055-733</b>	<p>What does the Draft EIS State? Agencies Affected by Increased Construction and Development.</p> <p>Analysis was conducted for additional agencies that would be influenced not be a growth in population, but by a growth in permit requests for construction and development. These agencies included:</p> <ul style="list-style-type: none"> <li>• Guam Department of Public Works</li> <li>• Guam Department of Land Management</li> <li>• Guam Environmental Protection Agency</li> <li>• Guam Coastal Mgmt Program within Bureau of Statistics and Plans</li> <li>• Guam Power Authority</li> <li>• Guam Waterworks Authority</li> <li>• Guam Fire Department, Permitting Staff</li> <li>• Historic Preservation Office within GDPH</li> <li>• Guam Division of Environmental Health with GDPHSS</li> <li>• Guam Allen Labor Processing and Certification Division within the Guam Department of Labor (GDOL)</li> </ul> <p>Reference including Volume, Pages and more Volume 9, page viii, ix.</p>	<p>Analysis of the proposed action indicated the approximate number of construction and development permits that would be needed to complete the planned activities.</p>
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**K-055-446**

Thank you for your comment. DoD acknowledges that the issue of land acquisition is a complex and sensitive one with both historical and contemporary contexts. Should DoD determine that additional land is necessary to meet its requirements, DoD policy requires that it negotiate with affected public and private land owners in good faith, seek agreements to acquire desired lands interests and pay fair market value.

DoD is confident that all parties can reach agreement on any potential land acquisition. Further, any proposed major DoD land acquisition, such as those associated with the preferred alternatives for the main cantonment and live fire ranges, must be approved by the Congressional defense committees.

Specific areas being considered for acquisition are identified in the Final EIS.

**K-055-447**

Thank you for your comment. The Final EIS has been revised to reflect this comment.

**K-055-448**

Thank you for your comment. The Final EIS has been updated to reflect this comment.

**K-055-449**

Thank you for your comment. The military secures its bases and property primarily to protect its facilities, personnel, and other assets; this is typical of military bases everywhere, including the U.S. mainland. Restrictions to certain areas are required to maintain national security and public safety. However, access to and through military property may be allowed and in certain cases access may be allowed pursuant to policies in place at the time.

<b>K-055-734</b>		<p>With the anticipated construction projects in the federal, local government and private sectors associated with the impending Marines relocation, it is my opinion that manpower and equipment resources need to be immediately provided to the Guam DOL's Alien Labor Processing &amp; Certification Division (ALPCD).</p>	<p>This additional funding may be provided to Guam through existing grant agreements with the US Department of Labor who provides an Alien Certification grant through Wagner Peysor Act funding via the office of Foreign Labor Certification. The funding through this grant is minimal right now as the mainland process for alien certification has recently undergone changes and has nationalized as opposed to being done by the state DOL offices. The funding levels need to be drastically increased for the duration of the build up to compensate for the increased caseload that will be a direct result of the Marines relocation.</p>
<b>K-055-735</b>		<p>It is my opinion that lack of resources in this area may result in a bottleneck which would be as serious as lack of capacity at the Port of Guam and with adequate Haul Roads. Without quick and accurate action by ALPCD, contractors will not be able to secure necessary approvals for the importation of foreign workers which will be vital to the timely completion of all projects and activities associated with the build up.</p>	

The military base, in itself, is a community. It includes military personnel, housing for the military and their dependents, medical and dental facilities, discount stores, recreational areas, and schools. These are provided for the benefit of the military personnel and their dependents.

**K-055-450**

Thank you for your comment. The reference to 15 CFR 930 is included in the Draft EIS on page 8-4. No text edits are made for the Final EIS.

**K-055-451**

Thank you for your comment. The region of influence for the land use assessment extends to 3 nautical miles distance from the shore. The EEZ is not relevant to the discussion. The 3 nautical mile limit is commonly referred to as the limit for "state" or "territorial" waters to distinguish it from the EEZ. This reference to Guam territorial waters (to 3 nautical miles) is retained in the Final EIS, although Guam jurisdiction extends into the EEZ (3 nautical miles to 200 nautical miles). The Final EIS is edited to clarify the region of influence.

**K-055-452**

Thank you for your comment. No consultation with the Attorney General is warranted on the subject of a state or territory establishing land use constraints on federal lands or submerged lands.

**K-055-453**

Thank you for your comment. A zoning map is being developed by GovGuam agencies, but is not updated with every zone change and was not available for inclusion in the EIS. The official 1966 island zoning map is presented in the Draft EIS and was relied upon for geographic areas for which there was no community master plan.

K-055-736	<p>A possible negative impact of the importation of a large foreign workforce is the possibility of massive numbers of workers overstaying their H-2B visas and working illegally. This will have a definite negative impact on US workers and aliens who are authorized to work in the U.S. These illegal workers will likely find jobs with smaller contractors and will take jobs that should be filled by those Guam residents who are work authorized. Traditionally US ICE does not find these workers to be of high importance as they are not considered criminal aliens. Adequate resources need to be given to US ICE Office of Investigations and the Deportation and Removal Office. Along with those manpower resources, greater funding for bed space for persons being held by Immigration at the Guam Department of Corrections needs to be given. This increased funding will allow for the prompt and proper deportation of illegal workers who will certainly overstay.</p>
K-055-737	<p>With proper supplemental funding from the federal government to support the labor certification and immigration enforcement efforts associated with the presence of 15,000 to 25,000 H-2B workers, the local and federal government agencies on Guam will be able to handle the marines relocation and associated build up projects. Without the needed resources, we will likely see drastic delays on projects, wide-spread fraud and abuse and huge numbers of visa overstays taking jobs from local residents.</p>

The North and Central Land Use Plan is not adopted by legislature and this is acknowledged in the EIS Volume 2, Section 8.1.1.2. It was an important resource when assessing the land use impacts because 1) there was an extensive public involvement component that captured the community land use planning objectives, 2) it was current, and 3) it represented best available information. Volume 2, Chapter 8 describes the planned land uses presented in the North and Central Land Use Plan and assesses whether the proposed action is consistent or compatible with the Plan. Even if the Plan is disapproved it represents the best available information until another plan is approved.

**K-055-454**

Thank you for your comment. Land use guidelines for APZs have been developed to restrict people-intensive uses because there is greater risk of aircraft accidents in these areas. Accident potential on or immediately adjacent to a runway (i.e., within the Clear Zone [CZ]) is so high that land use restrictions prohibit reasonable economic use of land. It is DoD policy to request Congress to authorize and appropriate funds for the necessary real property interests in CZs to eliminate incompatible land uses. No developments are present within the CZ at Andersen AFB. No mitigation for existing developments within the Andersen AFB airfield APZ is required as land use compatibility guidelines for APZs would remain in place to limit public exposure to aircraft mishaps. The Air Force AICUZ program was initiated in 1973 to determine aircraft accident potential near airfields. In general, the DoD perceives its AICUZ responsibilities as encompassing the areas of flying safety, noise abatement, and participation in the land use planning process. Preparation of an AICUZ Study is one phase of continuing DoD participation in the local planning process. As the local community updates its zoning or land use plans, the DoD provides input when needed. Andersen AFB personnel participate in the continuing discussion of zoning and other land use matters as they may affect, or may be affected by the Base. Base personnel are also available to

provide information, criteria, and guidelines to local planning bodies, civic associations, and similar groups. The AICUZ study indicates that well-maintained aircraft and well-trained aircrews do a great deal to assure that aircraft accidents are avoided; however, history shows that accidents do occur near airfields, and that it is imperative that flights be routed over sparsely populated areas as regularly as possible to reduce the exposure of lives and property to a potential accident.

**K-055-455**

Thank you for your comment. The military secures its bases and property primarily to protect its facilities, personnel, and other assets; this is typical of military bases everywhere, including the U.S. mainland. Restrictions to certain areas are required to maintain national security and public safety. However, access to and through military property may be allowed and in certain cases access may be allowed pursuant to policies in place at the time.

The military base, in itself, is a community. It includes military personnel, housing for the military and their dependents, medical and dental facilities, discount stores, recreational areas, and schools. These are provided for the benefit of the military personnel and their dependents.

**K-055-456**

Thank you for your comment. DoD understands and recognizes the significance of cultural and recreational sites located on DoD property in Guam. Restricting access to certain DoD areas at certain times is required to maintain public safety. It is the intent of DoD to maintain public access to DoD lands that contain cultural sites consistent with safety and operational requirements. Access will be granted at approved times such as when the lands are not being used for military training. Final plans concerning access to sites potentially impacted by the proposed action have not been developed. DoD looks forward to working with stakeholders to develop plans for cultural stewardship and

access that balances operational needs, public safety concerns, and the continuing public use and enjoyment of these sites.

**K-055-457**

Thank you for your comment. The Navy acknowledges there is potential for marine resources and aquifers to be affected by sea level rise, inundations from more extreme storm events and other consequences of climate change. The impacts may be both adverse and beneficial. The current level of scientific knowledge can predict trends in sea level rise based on historic data but there are no established methods for assessing and quantifying potential impacts on marine resources or aquifers.

The University of Guam provides analysis of the aquifer responses to sea level change and recharge in a November 2007 study. Climate change may impact the success of production wells in the future (e.g., the placement of the well screen may not be optimal if the sea level rises or falls). Given the uncertainty of climate models including lack of information that is directly applicable to northern Guam and lack of specificity regarding the time and degree of impacts to conditions that could impact the aquifer, the DoD wells would be installed based on current conditions and regulatory requirements. Monitoring would be conducted during well operation. If production or water quality declines over time, DoD would take actions to mitigate the impacted wells.

**K-055-458**

Thank you for your comment. DoD understands and recognizes the significance of cultural and recreational sites located on DoD property in Guam. Restricting access to certain DoD areas at certain times is required to maintain public safety. It is the intent of DoD to maintain public access to DoD lands that contain cultural sites consistent with safety and operational requirements. Access will be granted at approved times such as when the lands are not being used for military training.

Final plans concerning access to sites potentially impacted by the proposed action have not been developed. DoD looks forward to working with stakeholders to develop plans for cultural stewardship and access that balances operational needs, public safety concerns, and the continuing public use and enjoyment of these sites.

**K-055-459**

Thank you for your comment. Land use guidelines for APZs have been developed to restrict people-intensive uses because there is greater risk of aircraft accidents in these areas. Accident potential on or immediately adjacent to a runway (i.e., within the Clear Zone [CZ]) is so high that land use restrictions prohibit reasonable economic use of land. It is DoD policy to request Congress to authorize and appropriate funds for the necessary real property interests in CZs to eliminate incompatible land uses. No developments are present within the CZ at Andersen AFB. No mitigation for existing developments within the Andersen AFB airfield APZ is required as land use compatibility guidelines for APZs would remain in place to limit public exposure to aircraft mishaps. The Air Force AICUZ program was initiated in 1973 to determine aircraft accident potential near airfields. In general, the DoD perceives its AICUZ responsibilities as encompassing the areas of flying safety, noise abatement, and participation in the land use planning process. Preparation of an AICUZ Study is one phase of continuing DoD participation in the local planning process. As the local community updates its zoning or land use plans, the DoD provides input when needed. Andersen AFB personnel participate in the continuing discussion of zoning and other land use matters as they may affect, or may be affected by the Base. Base personnel are also available to provide information, criteria, and guidelines to local planning bodies, civic associations, and similar groups.

**K-055-460**

Thank you for your comment. As discussed in Volume 2, Section 18.2.2.7, there would potentially be more vehicles on the roadways resulting in more potential for accidents as a result of the increase in military personnel and their dependents. The Navy uses focus group sessions with personnel to strategize potential measures to reduce the number of liberty incidents, including traffic incidents. Traffic accident data for the years 2001 through 2005 indicated that, despite the population increase over the 5-year period, the number of traffic accidents has decreased. In addition, the Guam Territorial Transportation Improvement Plan contains 14 island-wide traffic hazard elimination projects that include school zone signs, village road safety and warning signs, seashore protection, pavement markers, anti-skid surfacing, and guardrails.

**K-055-461**

Thank you for your comment. DoD understands and recognizes the significance of cultural and recreational sites located on DoD property in Guam. Restricting access to certain DoD areas at certain times is required to maintain public safety. It is the intent of DoD to maintain public access to DoD lands that contain cultural sites consistent with safety and operational requirements. Access will be granted at approved times such as when the lands are not being used for military training. Final plans concerning access to sites potentially impacted by the proposed action have not been developed. DoD looks forward to working with stakeholders to develop plans for cultural stewardship and access that balances operational needs, public safety concerns, and the continuing public use and enjoyment of these sites.

**K-055-462**

Thank you for your comment. The comment was addressed in the Draft EIS.

**K-055-463**

Thank you for your comment. The Final EIS has been updated to reflect this comment.

**K-055-464**

Thank you for your comment. The change from Plan to program was made in the Final EIS.

**K-055-465**

Thank you for your comment. The Final EIS has been updated to reflect this comment.

**K-055-466**

Thank you for your comment. It is the intent of DoD to maintain public access to the cultural and historic sites at Pagat and Marbo consistent with safety and operational requirements. Restricting access to certain DoD areas at certain times is required to maintain public safety. Final plans concerning access to sites potentially impacted by the proposed action have not been developed. DoD looks forward to working with stakeholders to develop plans for cultural stewardship and access that balances operational needs, public safety concerns, and the continuing public use and enjoyment of these sites.

**K-055-467**

Thank you for your comment. The items identified in this comment are not part of the proposed action and are therefore not addressed in the EIS.

**K-055-468**

Thank you for your comment. The military secures its bases and property primarily to protect its facilities, personnel, and other assets; this is typical of military bases everywhere, including the U.S. mainland.

Restrictions to certain areas are required to maintain national security and public safety. However, access to and through military property may be allowed and in certain cases access may be allowed pursuant to policies in place at the time.

The military base, in itself, is a community. It includes military personnel, housing for the military and their dependents, medical and dental facilities, discount stores, recreational areas, and schools. These are provided for the benefit of the military personnel and their dependents.

**K-055-469**

Thank you for your comment. The comment appears to be a note about what is stated and no response is necessary.

**K-055-470**

Thank you for your comment. The blind snake and monitor lizard are mentioned as occurring at Andersen AFB (page 10-21 of the DEIS) and the monitor lizard is also mentioned for several other sites. We also documented in our project-specific field surveys the monitor lizard and blind snake at Andersen South and the monitor lizard at NCTS Finegayan. These findings have been added to the FEIS under the appropriate site. The project-specific field report has also been included in the FEIS.

**K-055-471**

Thank you for your comment. There are no nesting beaches along the rugged east coast of Guam north of the proposed firing ranges based on documentation and general observations while hiking portions of this coast, therefore there was no need for an evaluation of potential impacts.

**K-055-472**

Thank you for your comment. Mangrove crabs will be added to the species present.

**K-055-473**

Thank you for your comment. The removal of primary limestone forest (7.5 acres) is considered a significant impact under the vegetation category. The removal of disturbed (secondary) limestone forest (78 acres) is not considered a significant impact under the vegetation category. The specific disturbed limestone forest vegetation subtypes mentioned include the Vitex categories and Ochrosia edge. Removal of these subtypes of disturbed limestone forest would not be considered a significant impact. The vegetation community description and impact has been clarified in the FEIS.

**K-055-474**

Thank you for your comment. The U.S. Marine Corps currently has stringent requirements for control of pets per a Marine Corps Order. All dogs and cats must be implanted with a microchip and this would prevent the animals from becoming feral by assisting in recovery of animals and identification of owners.

**K-055-475**

Thank you for your comment.

**K-055-476**

Thank you for your comment. Management of the proposed ecological reserves would be coordinated with Guam DAWR through the Integrated Natural Resources Management Plan.

**K-055-477**

Thank you for your comment. The Navy would seek input on the sea

turtle study from Guam DAWR through the Integrated Natural Resources Management Plan.

**K-055-478**

Thank you for your comment. The comment appears to be a statement and no response is necessary.

**K-055-479**

Thank you for your comment. The EIS has been reviewed and revised accordingly based on this comment.

**K-055-480**

Thank you for your comment. Text modified to the following: "Sasa Bay is also a loafing and feeding habitat for migratory shore birds and is visited by foraging ESA listed sea turtles; green sea turtles are reported in high concentrations in this area (NOAA 2005a; Smith 2007). Hawksbill sea turtles were not sighted in this area during recent surveys by Smith (2007)."

**K-055-481**

Thank you for your comment. As discussed in the DEIS, there are several likely mitigation measures and BMPs that will be employed for the proposed action. The specifics that will be implemented will be generated in discussions with the USACE during the CWA permitting process. Because this process has yet to occur, the Navy cannot commit to any specific mitigation measures or BMPs or describe the methodology in the FEIS.

This section of the FEIS has been revised due to the significant decrease in fired ammunition per year and the even further decreased

potential for any munition "ricochet bullet off the berm" to make it into the marine environment due to the distance from the firing range.

**K-055-482**

Thank you for your comment. The Navy is considering these recommendations. The most recent compensatory mitigation option would be to extend ERAs over Navy submerged lands with potential for GovGuam land-swaps to make these protected areas contiguous.

**K-055-483**

Thank you for your comment. Volume 4, Chapter 11 of the FEIS includes possible mitigation measures for corals similar to those implemented for the Kilo Wharf EIS, including the following:

1. Cessation of dredging operations during the period of peak coral spawning (7-10 days after the full moon in July) in consultation with the Guam Department of Water Resources (GDAWR).
2. Dredging or filling of tidal waters would not occur during hard coral spawning periods, usually around the full moons of June, July, and August.
3. No ships would be allowed to enter Sasa Bay at night.

These "special conditions" may be added during the USACE permitting process to meet Section 10/404 CWA requirements.

**K-055-484**

Thank you for your comment. Currently most of the area proposed for the new Marine base at Finegayan (the preferred alternative #2) is undeveloped. Thus there are no sewer or potable water infrastructure in place, except for a small amount to serve the current NCTMS

installations. New sewer collection systems and water distribution systems would be required. Please see Volume 6 Chapters 2 and 3 for a detailed description of the utilities.

**K-055-485**

Thank you for your comment. DoD understands and recognizes the significance of cultural and recreational sites located on DoD property in Guam. Restricting access to certain DoD areas at certain times is required to maintain public safety. It is the intent of DoD to maintain public access to DoD lands that contain cultural sites consistent with safety and operational requirements. Access will be granted at approved times such as when the lands are not being used for military training. Final plans concerning access to sites potentially impacted by the proposed action have not been developed. DoD looks forward to working with stakeholders to develop plans for cultural stewardship and access that balances operational needs, public safety concerns, and the continuing public use and enjoyment of these sites.

**K-055-486**

Thank you for your comment. Conducting historic property awareness training of military personnel to promote protections of sensitive sites has been added as a potential mitigation measure for Alternatives 2 and 8.

**K-055-487**

Thank you for your comment. Early identification, consultation, and predictive modeling resulted in many fewer sites being directly impacted by designing installations away from or around areas that contained high densities of historic properties. Thus, the vast majority of impacts to resources were avoided. DoD will continue to work very closely with the Guam SHPO and other stakeholders to continue in our efforts to avoid, minimize and/or mitigate adverse effects to cultural resources.

**K-055-488**

Thank you for your comment.

**K-055-489**

Thank you for your comment. The vessel data used to prepare Table 14.1-1 in Volume 2, Chapter 14 came from the Port Authority of Guam Web site. This data was presented to show the number of vessels that visited the Port of Guam during the period of 1995 through 2008. There was no information provided by the Port Authority of Guam concerning whether there were any adverse impacts to marine transportation during 1995. However, as indicated in the table, the number of vessels that visited the Port in 1996 (2,909) is very similar to the number that visited the Port in 1995 (2,924).

**K-055-490**

Thank you for your comment. In Volume 4, Chapter 14, Section 14.2.2, the analysis provided in the EIS considered the combined impacts to marine transportation of the aircraft carrier visits, the required dredging for the carrier berth, and the impacts to marine transportation associated with the relocation of the Marines. Because there has been a substantial decrease in the number of vessels that visit the Port since 1995, the increase in the number of vessels associated with the proposed actions taking place at the same time would have a less than significant impact on marine transportation.

**K-055-491**

Thank you for your comment. The information presented in the Summary of Impacts section addresses the projected number of container and break-bulk vessels required to accommodate the commercial and military needs during the period of the relocation of the Marines.

**K-055-492**

Thank you for your comment. DoD recognizes the importance of managing efforts in implementing the proposed military relocation to reduce adverse effects on the people of Guam, its natural resources and infrastructure. The EIS process identifies ways to implement the proposed relocation while minimizing adverse impacts. DoD will continue to work to ensure that the short term impacts of construction are managed effectively and that the long term effects of the military relocation reflect DoD policies to be good neighbors and responsible citizens on Guam.

**K-055-493**

Thank you for your comment. Topics such as the voting power of local Chamorro are important issues but are not part of the proposed action. Comments related to these issues were numerous and indicate underlying social and political dissatisfaction with longstanding federal-territorial status issues outside the scope of DoD legal authority. The various EIS public engagement forums provided an indirect avenue for informing some and reminding others in local and federal policy-making institutions of issues that are important to a significant segment of the Guam community.

**K-055-494**

Thank you for your comments. It is noted that the EIS process provides information on environmental impacts (this includes the human environment); however, there is a limit to the specific details of the impacts because the information used is based on the continuation of existing trends and behaviors. While it is not an exact science, the EIS process along with the comments received provide information to the decision makers on the anticipated impacts of the proposed action.

The table you mention provides information on the expected increase in personal income taxes that would be collected by GovGuam; this

represents our best estimate of Section 30 funds. H2B worker taxes are expected to contribute to Section 30 funds.

**K-055-495**

Thank you for your comment.

**K-055-496**

Thank you for your comment. Analysis of required new public service staff assesses what staffing needs would be if the proposed action were to take place; the hiring and retention policies of GovGuam are not part of the proposed action or under the control of DoD and are thus not discussed.

**K-055-497**

Thank you for your comment. Expanded mitigation discussion is available in Volume 7 of the FEIS.

**K-055-498**

Thank you for your comment. To minimize adverse impacts associated with the proposed military relocation program, DoD is leading a federal inter-agency effort to identify other Federal programs and funding sources that could benefit the people of Guam.

**K-055-499**

Thank you for your comment. The U.S. Navy applied tributyltin TBT-based paint to ships in the 1979-1988 time frames. The use of TBT in the U.S. was banned in 1988. The last Navy ship to use TBT had that coating removed in 1994. The Navy currently uses copper-based antifouling paints and is actively exploring less toxic alternative coatings.

HTIS BULLETIN Vol.9 No.3, May - June 1999.; Tom McCarley, HTIS

Global Invasive Species Programme (GISP). 2008. Marine Biofouling: An Assessment of Risks and Management Initiative. Compiled by Lynn Jackson on behalf of the Global Invasive Species Programme and the UNEP Regional Seas Programme. 68 pp.

**K-055-500**

Thank you for your comment. The DoD is committed to the protection and responsible stewardship of the environment. In addition, the DoD is committed to the safe handling and use of all hazardous substances, including fuels, lubricants, solvents, munitions and explosives of concern (MEC), nuclear materials, pesticides, herbicides, PCBs, and other hazardous substances. In fact, when feasible, the DoD attempts to reduce or eliminate the use of various hazardous substances to the greatest extent possible and substituting them for less toxic substances.

When using hazardous substances, environmental laws and regulations (e.g., RCRA) must be followed by DoD that are designed to be protective of human health, welfare, and the environment. In order to implement these laws and regulations, DoD has developed various procedures, protocol, and directives designed to proactively eliminate or minimize the inadvertent leakage, spill or release of pollutants to the environment. These actions involve comprehensive administrative, engineering, and operations mandates, best management practices (BMPs), standard operating procedures (SOPs), and controls in place to prevent or minimize the inadvertent leakage, spill, or release of hazardous/toxic substances. These BMPs, SOPs, and other controls are fully described in the EIS document (Volume 7). Note that BMPs and SOPs are not considered "mitigation measures" because these actions are being done as part of existing laws and regulations and not as part of new "mitigation". However, if a leak, release, or spill is suspected or confirmed, aggressive mitigation measures are used to first clean up the leak, spill, or release as quickly as possible, followed by an assessment of risks to the public and/or the environment and a plan to remediate these risk concerns to within regulatory acceptable levels. These actions

generally include environmental media (e.g., groundwater, surface water, soil, air, and/or biota) sampling and monitoring to ensure that and hazards are mitigated quickly and effectively. In many cases, part of remediation plan includes the requirement to perform regularly scheduled long-term sampling and monitoring of environmental media to ensure that remedial actions have been effective. If long-term monitoring indicates that risks to human health or the environment are still unacceptable, more aggressive remediation approaches are considered. In fact, many such clean-up efforts are underway. As part of the clean-up process, the DoD provides various opportunities for the general public, stakeholders, and other interested parties to get involved in the process. One such opportunity is Restoration Advisory Boards (RABs) where interested party questions and concerns may be communicated. For information on the status of the cleanup efforts of specific hazardous waste sites, the associated RAB provides a vehicle to obtain such information and for the general public/stakeholders to voice their concerns. The RABs are the best vehicle for asking specific questions regarding various hazardous waste sites and to obtain the current status of ongoing or planned cleanup actions.

These comprehensive actions (e.g., BMPs, SOPs, etc.) will protect public health, welfare, and the environment from adverse impacts associated with the use of hazardous substances.

**K-055-501**

Thank you for your comment. Text has been added to explain why BMPs and SOPs that may be implemented are not considered "mitigation measures".

**K-055-502**

Thank you for your comment. Volume 2, chapter 17 estimates the quantities of hazardous waste that may be used by the proposed DoD military expansion on Guam. In addition, with each proposed activity (construction, operations, training, etc.) the types of hazardous

substances anticipated for use with that activity are also discussed. These quantities have been based upon actual quantities disposed of by DRMO units in Guam and/or Okinawa as appropriate. The potential impacts and mitigation measures (in this case BMPs and SOPs) that will serve to protect human health and the environment have been summarized in each Chapter and are also found in Volume 7.

**K-055-503**

Thank you for your comment. Text has been revised to clarify that mishaps are those that result in damage of \$3 million or more.

**K-055-504**

Thank you for your comment. The current existence of UXO at Asan/Piti is unknown. The EIS specifies that to reduce the potential hazards related to exposure to MEC, qualified UXO personnel would perform surveys to identify and remove potential MEC items prior to the initiation of ground disturbing activities. The general public would be excluded from entering construction zones and training areas. Additional safety precautions would include: UXO personnel supervision during earth-moving activities and providing MEC awareness training to construction personnel involved in grading and excavations prior to and during ground-disturbing activities. The identification and removal of MEC prior to initiating construction activities and training construction personnel as to the hazards associated with unexploded military munitions would ensure that potential impacts would be minimized.

**K-055-505**

Thank you for your comment. Medical records are not a consideration in military personnel career decisions unless a physical limitation arises (e.g., pilot with burst ear drum). Military personnel are instructed to seek medical attention once signs of a condition arise to ensure treatment is

started as soon as possible. Military personnel should not be seeking medical services at non-DoD clinics or hospitals.

**K-055-506**

Thank you for your comment. UXO professionals would consult existing documentation that identifies the types and location of UXO to aid in protecting the public, construction workers, military personnel, and themselves.

**K-055-507**

Thank you for your comment. As you mentioned, a staggered work schedule is one measure that can be taken to lessening traffic impacts. DoD contracts allow for contractors to use a staggered work schedule. Through a coordinated effort between Guam Department of Public Works, Department of Defense and its contractors, a staggered work schedule will be developed and implemented.

**K-055-508**

Thank you for your comment. DoD understands and recognizes the significance of cultural and recreational sites located on DoD property in Guam. Restricting access to certain DoD areas at certain times is required to maintain public safety. It is the intent of DoD to maintain public access to DoD lands that contain cultural sites consistent with safety and operational requirements. Access will be granted at approved times such as when the lands are not being used for military training. Final plans concerning access to sites potentially impacted by the proposed action have not been developed. DoD looks forward to working with stakeholders to develop plans for cultural stewardship and access that balances operational needs, public safety concerns, and the continuing public use and enjoyment of these sites.

**K-055-509**

Thank you for your comment. As noted in Volume 4, Chapter 2, Section 2.3.4.3, Kilo Wharf construction and its extension utilized concrete caisson construction. The Kilo Wharf Extension EIS and Record of Decision noted that the dredging-related plume associated with the caisson construction under the Preferred Alternative for the Kilo Wharf Extension could adversely impact approximately 1.7 acres (0.7 hectares) to 14.9 acres (6.0 hectares) of benthic habitat including approximately 0.14 acres (0.06 ha) to 0.72 ac (0.29 ha) of coral reef communities over the course of the dredging period. The spread in the modeling analysis was dependent on the dredging rate and environmental conditions at the time of dredging. The analysis did in fact note that adverse impacts to corals from the caisson-designed extension of Kilo Wharf could occur. One of the drawbacks to the caisson-based wharf structure is the additional dredging required to establish a flat base on which the caissons need to be set. Secondly, they have a history of poor seismic performance so that while their use and construction may not directly impact a wide area of corals, the potential failure during a serious seismic event may cause them to fail and fall seaward with their repair and reconstruction possibly impacting corals.

**K-055-510**

Thank you for your comment. The differences between the environmental effects of mechanical and hydraulic dredging are discussed in Chapter 2, Volume 4 and Appendix D of the EIS. Mechanical dredging involves use of a clamshell or fixed bucket that excavates the dredge sediment from the harbor floor and then carries the sediment in the full bucket through the water column before lifting the bucket out of the water and placing the dredged sediment in a nearby barge or scrow. During this movement, a small fraction of the collected sediment will escape from the bucket and create suspended sediment in the lower and higher levels of the water column. On the other hand, a hydraulic dredge works solely on the harbor floor and any suspended

sediment will emanate only in the lower portion of water column. As a result, the plume of suspended sediment is generally greater with use of conventional clam shell bucket as compared with a hydraulic dredge. However, use of hydraulic dredging is generally limited to soft bottom sediment on relatively flat surfaces. Mechanical dredging, which has historically been used in Apra Harbor, was chosen as the dredging method for evaluating environmental impacts as it presents the most adverse impact scenario.

A sediment plume is an inevitable effect of in-water construction activities. The Navy proposes to minimize sedimentation by using best management practices such as silt curtains and operational controls of dredging equipment. Final mitigation measures for all dredging activities will be determined and agreed upon during the permit phase of the projects.

**K-055-511**

Thank you for your comment. Sediment samples within the proposed dredging areas were comprehensively analyzed for a wide range of parameters according to USEPA and USACE standard testing criteria. A total of fourteen discrete, representative sampling sites were included, as shown in Chapter 2 of Volume 4. These locations included the proposed turning basin in the Outer Harbor and the berthing areas of Alternative 1 and 2. As discussed in the EIS (Chapters 2 and 4 of Volumes 2 and 4), preliminary sampling results indicate that all contaminant parameters that were tested with the exception of nickel were below the Effects Range Low (ER-L) level. Nickel is a substance that is naturally occurring in the environment. The study results suggest that the materials to be dredged would not require special handling and would be suitable for upland placement for beneficial reuse or ocean disposal (although the ocean disposal permitting process would require separate analysis and toxicity testing). It should be noted that the analysis for disposal at the ocean disposal site is especially rigorous testing beyond what is normally

required for upland disposal. Testing of the sediments at Kilo Wharf and any additional testing that is needed will be determined by the regulatory agencies during the permitting process which requires a dredged material management plan to be developed.

**K-055-512**

Thank you for your comment. Coral transplanting is possible; this is considered and described in Volume 4, Chapter 11 of the FEIS.

**K-055-513**

Thank you for your comment. The paragraph in question has been updated to include anti-fouling paint as an item that could affect nearshore water quality. The Final EIS includes a discussion of potential impacts from anti-fouling paint.

**K-055-514**

Thank you for your comment.

**K-055-515**

Thank you for your comment. Roads providing access to GIAA, Route 10A and Tiyan Parkway, were not included in the Guam Haul Road Network therefore these roads were not included in the FEIS. There are separate improvement projects that are being considered by the Guam Department of Public Works that, if implemented, would address congestion issues on these roadways.

**K-055-516**

Thank you for your comments. The ridership of a monorail would not be high enough to make this a fiscally viable alternative for public transportation.

However, the 2030 Guam Transportation Plan outlines

recommendations for an improved mass transit system on Guam. These recommendations included forming the Guam Mass Transit Authority and implementing high-capacity bus service on the island. In late 2009/early 2010, the Guam Regional Transit Authority (GRTA) was formed and will now be responsible for all public transit functions. The GRTA approved the Guam Transit Business Plan in January 2010, which includes purchasing new buses, constructing a bus maintenance facility, and modifying the bus schedule.

**K-055-517**

Thank you for your comment. It is anticipated that increased customs and agricultural inspections will be coordinated through both Guam and relevant federal officials, including the U.S. Department of Agriculture. DoD will work with the airport and relevant Guam and federal inspection authorities to address required inspection of military cargoes that pass through the airport. In addition to continuing to implement existing standard operating procedures and DoD requirements covering the inspection and transport of material and personnel from Guam to/ other locations, the Navy is also funding and coordinating the preparation of a Micronesian Biosecurity Plan. This plan will address all aspects of the potential for the transport of the brown tree snake, and all potential non-native invasive species, to other Pacific Islands and from other locations to Guam due to both civilian and military activities originating on Guam.

Funding for airport improvements, including increased customs and agricultural inspection requirements, will be funded from federal agencies, GovGuam, and private sources. DoD will work with the airport to identify possible increased sources of federal funds. It is further anticipated that DoD will work with the airport to investigate the development of possible user charges and fees to cover the costs of increased customs and agricultural inspection associated with shipment of materials for DoD military build-up construction projects and increased civilian growth.

The increased inspection needs associated with civilian population growth will be a function of airport planning, implementation, and coordination with relevant Guam and federal customs and inspection authorities. In any instance, it is not anticipated that DoD will conduct the required inspections.

**K-055-518**

Thank you for your comment. Use of GIAA for landing and training is not proposed under this action.

**K-055-519**

Thank you for your comment. Additional information has been included in the Final EIS including coordination on bio-security matters. Much of this discussion is included in Volumes 2 and 7 of the Final EIS.

**K-055-520**

Thank you for your comment. As documented in this EIS, the DoD acknowledges the existing sub-standard conditions of protective services on Guam and the interest to have DoD fund improvements to these services. DoD's ability to fund these services is limited by federal law. However, to minimize adverse impacts associated with the proposed military relocation program, the DoD is leading a federal inter-agency effort to identify other federal programs and funding sources that could benefit the people of Guam.

**K-055-521**

Thank you for your comment. Military aircraft would not be using Guam International Airport.

**K-055-522**

Thank you for your comment. The Secretary of the Interior's Standards

and Guidelines were followed in the performance of all cultural resources studies associated with the EIS. Professionals conducting the studies met or exceeded these qualifications. Resources listed on the Guam Register of Historic Places are discussed in Section 12.1 of the DEIS.

**K-055-523**

Thank you for your comment. Definitions for these terms and a discussion of the cultural resources laws and regulations are included in Sections 12.1.1 and 12.2.1 in the DEIS.

**K-055-524**

Thank you for your comment. As documented in this EIS, DoD acknowledges the existing sub-standard conditions of key public infrastructure systems and social services on Guam and the interest to have DoD fund improvements to these systems and services. DoD's ability to fund actions is limited by federal law. However, to minimize adverse impacts associated with the proposed military relocation program, DoD is leading a federal inter-agency effort to identify other federal programs and funding sources that could benefit the people of Guam.

**K-055-525**

Thank you for your comment. The DoD understands the importance of the cultural and historic issues related with land in Guam. The DoD conducted a number of studies, including a traditional cultural property (TCP) study on Guam and Tinian. The studies on traditional cultural properties were conducted by individuals from the Micronesia Area Research Center at the University of Guam. They interviewed people on Guam who were knowledgeable about the traditional uses of plants and animals on the island. The TCP study used information from oral histories, archival and documentary research, archaeological investigations, and natural resource inventories. Seventeen TCPs were

identified that included landforms, historical sites, archaeological sites with latte stones, and gathering places. Criteria for eligibility to the National Register of Historic Places was applied as required in 36 CFR 800. DoD will continue to work very closely with the Guam SHPO and other interested parties to mitigate any adverse effects to these resources.

**K-055-526**

Marines stationed on Guam require annual qualification or requalification on individual and crew –served weapons to maintain their combat readiness. Every Marine on Guam will require this type of training. This high volume can only be met with ranges located in close proximity to cantonment areas.

DoD understands the importance of the cultural and historic issues related with land in Guam, and in particular those associated with the Pagat site. As stated in the DEIS in Section 12.2, no direct disturbance to the Pagat site would occur from the construction or operation of the proposed firing range. Because of a drop of 300 feet in elevation from the plateau containing the firing range to the Pagat site on the coast, there would not be a visual impact to the site. Noise from the firing range would be equivalent to noise levels when the raceway is in use. It is the intent during the final design phase to contain all rounds and effects within the footprint of the range through the use of berms and other media.

**K-055-527**

Thank you for your comment. DoD understands the importance of the cultural and historic issues related with land in Guam. Although final plans concerning access to Mt. Jumullong have not been developed, it is the intent of DoD to maintain public access (including the access trail) when not being used for military training. DoD looks forward to working with stakeholders in developing plans for access that balance

operational needs, public safety concerns, and the continuing public use and enjoyment of this site. Muunt Lamlam would not be impacted by training activities.

**K-055-528**

Thank you for your comment. Impacts to coastal resources from construction workers living south of Finegayan are discussed in Volume 1, Chapter 4.

**K-055-529**

Thank you for your comment.

**K-055-530**

Thank you for your comment. The studies conducted as part of the EIS are discussed in Section 12.1 of the DEIS. All sites determined eligible to the National Register of Historic Places are afforded the same consideration as sites that are listed.

**K-055-531**

Thank you for your comment. The APE for submerged resources in Apra Harbor from dredging assumes that Best Management Practices and mitigations as discussed in Chapter 4, Water Resources would be implemented to constrain sedimentation in the area. The information on submerged resources was based on best available information from previous underwater surveys conducted in the area by the Navy, National Park Service, and the Guam Historic Preservation Office.

**K-055-532**

Thank you for your comments. It is noted that the EIS process provides information on environmental impacts (this includes the human environment); however, there is a limit to the specific details of the impacts because the information used is based on the continuation of

existing trends and behaviors. While it is not an exact science, the EIS process along with the comments received provide information to the decision makers on the anticipated impacts of the proposed action.

**K-055-533**

Thank you for your comment. The military secures its bases and property primarily to protect its facilities, personnel, and other assets; this is typical of military bases everywhere, including the U.S. mainland. Restrictions to certain areas are required to maintain national security and public safety. However, access to and through military property may be allowed and in certain cases access may be allowed pursuant to policies in place at the time.

The military base, in itself, is a community. It includes military personnel, housing for the military and their dependents, medical and dental facilities, discount stores, recreational areas, and schools. These are provided for the benefit of the military personnel and their dependents.

**K-055-534**

Thank you for your comment.

**K-055-535**

Thank you for your comments. The EIS has been revised as suggested.

**K-055-536**

Thank you for your comment. Please see response to K-055-533.

**K-055-537**

Thank you for your comment. The Proposed Action would result in the acquisition of lands on the east side of Guam near Route 15 and the existing Andersen Air Force Base South property and the construction of a live fire training range complex on the site. The lands consist of

Government of Guam controlled parcels as well as a few privately owned parcels. The Government of Guam parcels are held by two entities, the Chamorro Land Trust and the Ancestral Lands Commission. These entities manage certain Government of Guam land holdings to support native Chamorro interests and compensate land owners for lands currently controlled by the federal government.

In the northern most parcel, under the control of the Chamorro Land Trust, there exists the Guam International Raceway. This entity, which is a non-profit organization, operates a raceway complex consisting of a drag strip and various motorcycle and off-road vehicle courses pursuant to a 20 year license with the Chamorro Land Trust. These recreational facilities satisfy a significant component of the public demand for racing as well as accommodating periodic police vehicle training. The license is set to expire in 2018. Under the terms of the license the Guam International Raceway is able to remove aggregate mined from the site to improve its operations, but at the option of the Chamorro Land Trust must return the property in "pristine" condition upon the termination of the license. The license clearly states that the Guam International Raceway has no interest in the underlying property pursuant to its license. Further, there is no right to renew the license.

Should DoD decide to acquire land for the Route 15 training range complex, an offer of just compensation would be made to the owners of the property, including the lands held by the Chamorro Land Trust. The just compensation offer would be at the full fair market value of the property, based upon an appraisal of the property and its highest and best use. Since DoD would acquire the property from the fee owners, any compensation to the operators of the Guam International Raceway would be a matter to be determined between the current land owner, the Chamorro Land Trust, and the tenant, the Guam International Raceway.

In the event DoD acquires the land, the Guam International Raceway

would have to decide whether to continue operation in another location. If it chose to continue operations it may be eligible for relocation assistance from DoD pursuant to the Uniform Assistance and Real Property Acquisition Policies Act of 1970. If eligible, DoD would provide relocation assistance in the form of advisory services, and some specific financial assistance related to a move, but would not be responsible for the physical relocation of the operations of the Guam International Raceway.

As to possible sites for the relocation of the Guam International Raceway, such actions would be under the control of Government of Guam officials as they are responsible for non-federal land use decisions on Guam. Given that a raceway complex is an industrial activity, it is most likely that any siting of a future raceway complex will be on lands zoned for such industrial activities and not within lands deemed recovery habitat for ESA listed species. Should the Guam International Raceway decide to continue operations and be eligible for relocation assistance from DoD, DoD will work with Government of Guam land use and natural resource officials to ensure that habitat concerns for ESA listed species are taken into account in any relocation effort.

**K-055-538**

Thank you for your comment. Please see response to K-055-356. In addition, it is the intent of DoD to maintain public access to DoD lands that contain cultural sites consistent with safety and operational requirements. Access will be granted at approved times such as when the lands are not being used for military training. Final plans concerning access to sites potentially impacted by the proposed action have not been developed. DoD looks forward to working with stakeholders to develop plans for cultural stewardship and access that balances operational needs, public safety concerns, and the continuing public use and enjoyment of these sites.

**K-055-539**

Thank you for your comment.

**K-055-540**

Thank you for your comment. Please note that during dredging and wharf construction activities, recreational resources situated near these activities (e.g., Western Shoals), would be inaccessible for use. Recreational resources situated away from these construction activities may continue to be utilized by recreational users. However, the Naval Base Guam at Apra Harbor will continue to be secured.

**K-055-541**

Thank you for your comment. As documented in this EIS, DoD acknowledges the existing sub-standard conditions of key public infrastructure systems and social services on Guam and the interest to have DoD fund improvements to these systems and services. DoD's ability to fund actions is limited by federal law. However, to minimize adverse impacts associated with the proposed military relocation program, DoD is leading a federal inter-agency effort to identify other federal programs and funding sources that could benefit the people of Guam.

**K-055-542**

Thank you for your comment. Please see response to K-055-538.

**K-055-543**

Thank you for your comment. The total potential loss of park land in the Central Region from GRN projects along Route 1 adjacent to Buffer Strip Park, Chinese Park and Paseo de Susana would amount to approximately 0.47 acre. To the extent possible, project design would be adjusted to minimize loss of park land. Since the final design of these projects has not occurred, it is possible that the acreage to be removed

at each of these parks may be reduced. As stated in Vol 6, Chapter 11 (11.2.6), acquisition of park land would be coordinated between DPW and Department of Parks and Recreation (DPR). Although the potential loss of 0.47 acre of park land is not considered an adverse impact, the project includes the following mitigation: To the extent applicable, engineering design would take into consideration avoidance of acquisition of public recreational facilities, such as park land.

**K-055-544**

Thank you for your comment. One of the mitigation measures proposed is a recreational resource carrying capacity study and preparation of a resource management plan. Data gathered for the carrying capacity study would be used to form a baseline (i.e., capacity for a recreational resource) and appropriate mitigation measures would be determined in the resource management plan.

**K-055-545**

Thank you for your comment. DoD policy requires that it negotiate with affected public and private land owners in good faith, seek agreements to acquire desired lands interests and pay fair market value. DoD is confident that all parties can reach agreement on any potential land acquisition.

DoD understands and recognizes the significance of access to cultural sites located on DoD property in Guam. Restricting access to certain areas at certain times is required to maintain public safety. It is the intent of DoD to maintain public access to Mt. Jumullong Manglo (including the Mt. Lam Lam trail) consistent with safety and operational requirements. Final plans concerning access to Mt. Jumullong Manglo (as accessed by the Mt. Lam Lam trail) have not been developed, DoD looks forward to working with stakeholders including groups that use the area for traditional religious activities to develop plans for cultural stewardship

and access that balances operational needs, public safety concerns, and the continuing public use and enjoyment of this site.

**K-055-546**

Thank you for your comment. Please see Volume 6 for an in depth discussion on utilities. The new Layon Landfill is designed to accommodate municipal solid waste from all current and future DoD sources as well as civilian and commercial sources. Based on conservative waste generation rates, the new landfill will reach capacity in approximately 33 years. The DoD will be implementing diversion and recycling programs that will significantly reduce solid waste generation and will help to extend the life of the landfill.

**K-055-547**

Thank you for your comment. Please see Volume 6 for an in depth discussion of utilities. Included there is a map of the proposed locations for the 22 new DoD groundwater extraction wells. GWA and GEPA both need to approve and permit any new wells. DoD would coordinate with them on the new wells being proposed. Should DoD have excess water production capacity and GWA require it, DoD would consider making that excess production capacity available to GWA.

Subsequent to issuing the DEIS, DoD and Guam Waterworks Authority (GWA) reached agreement in principle to establish a private entity (PE). This PE would obtain a loan arranged by DoD to upgrade the North District Wastewater Treatment Plant (NDWWTP). The PE would also operate the plant and pay back the loan with user fees. The DoD would pay user fees established by a customer service agreement with GWA that would enable the PE to repay the loan. Future upgrades to add secondary treatment to the NDWWTP, if required, would be funded by the users based on their percentage of demand. The DoD would be one of the largest users and would bear their fair share of that upgrade. The Final EIS has been updated with this information.

**K-055-548**

Thank you for your comment. Please see Volume 6 for an in depth discussion on utilities. The new sewer line from Barrigada to NDWWTP is not the preferred alternative. However, if it would be pursued, the new sewer would be along existing easements and under existing roads. This sewer would be dedicated to DoD wastewater flows from proposed new Marine housing in Barrigada.

**K-055-549**

Thank you for your comment. The Navy Sanitary Landfill and the Andersen Airforce Base Landfill have approval from GEPA to accept construction debris. In addition there are two GEPA permitted hardfills located in northern Guam (Northern Hardfill and Eddie Cruz Hardfill).

The Navy has prepared a Construction and Demolition (C&D) Debris Reuse and Diversion Study for DOD Bases, Guam that addresses waste characterization, processing, recycling and disposal of construction debris. Information from this study was used to update the FEIS.

The study considered the following alternatives: 1) Contractors would continue to process all C&D debris, and DoD would construct a composting facility to process green waste and 2) DoD would construct a C&D debris central processing facility and a composting facility to process green waste.

Through project specific contractual requirements, DoD contractors would be required to process and divert 50% of C&D debris that is generated on each project. Another alternative would be for the DoD to construct a central processing facility that would be used to recover and reuse or recycle scrap metal, concrete (without lead-based paint), asphalt concrete, and untreated wood. Contractors would be required to haul C&D to this facility. Based on the C&D debris composition assumed in the study, the Navy will be able to achieve a C&D debris waste

diversion goal of greater than 50% by the end of fiscal year 2015. A site for the central processing facility is currently being evaluated but will most likely be located in northern Guam. Disposal of C&D debris that is not divertible or recyclable will be disposed at the Navy Hardfill at Apra Harbor. The study also evaluated the construction of a composting facility to handle green waste generated by land clearing activities required for new development.

**K-055-550**

Thank you for your comment.

**K-055-551**

Thank you for your comment. Workforce housing would be provided by the contractors as described in Volume 2, Chapter 16, "Socioeconomics and General Services." DoD would not provide workforce housing, but design/construction contracts would require the contractor to accommodate the workforce in accordance with specified health and safety standards. Various proposals are being developed by potential contractors in anticipation of winning a contract. The timing and location are unknown for construction and/or renovation of housing to accommodate the construction workforce, but it is possible that some of the workforce housing projects would begin independently of DoD's Record of Decision.

There are no plans to allow contractors to locate workforce housing on DoD-controlled land. Therefore, it is anticipated that should workforce housing needs require the construction of new housing, such workforce housing would be located on either private or Government of Guam lands. In either instance Guam officials would control the underlying land use and permit decisions associated with the siting of such housing. DoD would work with Government of Guam land use and natural resource officials to identify any contractor plans or efforts to construct workforce housing and DOD shall ensure that contractors are

informed of their responsibilities to comply with Government of Guam land use restrictions. In particular, the Guam Land Use Commission recently issued GLUC 2009-1 which specifically addresses the issue of zoning for workforce housing.

**K-055-552**

Thank you for your comment.

**K-055-553**

Thank you for your comments. The primary locations for stockpiling will be on site. When an off site location is to be used, those locations and construction practices will be planned with considerations regarding noise and fugitive dust.

**K-055-554**

Thank you for your comment. The proposed action of this EIS would not alter the existing access to the private lands mentioned in the comment. The issues regarding existing limitations are not included in the EIS. DoD has no authority over U.S. Fish and Wildlife Service (USFWS) and access provisions they may impose. DoD has entered into a Section 7 consultation with USFWS and use of the overlay refuge is being discussed. The Biological Opinion will describe the final agreement.

**K-055-555**

Thank you for your comment. As stated earlier, acknowledge that one of the impacts resulting from the proposed actions is competition for space and availability of the recreational resource(s) at a given site. One of the mitigation measures proposed in the EIS is to conduct a carrying capacity study for the recreational resources on Guam. Information formed from the data collected from the carrying capacity can be used to determine what the threshold for the recreational resources are;

subsequently, appropriate implementation measures can be formed to manage user capacity and threshold for the recreational resources.

**K-055-556**

Thank you for your comment. Generally, federal actions preempt local, State, or Territorial regulation absent a clear waiver of sovereign immunity by the United States. However, with regard to land use, Federal laws and regulations require agencies to consider territorial planning and to consult with territorial agencies in planning an installation. As such, DoD will coordinate with the Guam Land Use Commission on all potential land acquisitions (fee simple or lease).

**K-055-557**

Thank you for your comment. DoD understands and recognizes the significance of access to cultural sites located on DoD property in Guam. Restricting access to certain areas at certain times is required to maintain public safety. It is the intent of DoD to maintain public access to Mt. Jumullong Manglo (including the Mt. Lam Lam trail) consistent with safety and operational requirements. Final plans concerning access to Mt. Jumullong Manglo (as accessed by the Mt. Lam Lam trail) have not been developed, DoD looks forward to working with stakeholders including groups that use the area for traditional religious activities to develop plans for cultural stewardship and access that balances operational needs, public safety concerns, and the continuing public use and enjoyment of this site.

**K-055-558**

Thank you for your comment. The explosives would be located at the Naval Munitions Site in an area well away from residential development. The Jinapsen area is near Andersen AFB.

**K-055-559**

Thank you for your comment. Radiofrequency energy (RFE) emission sources are evaluated to determine relevant primary exposure limits to protect health and safety. Two types of exposure limits are considered: 1) occupational/controlled exposure limits in which persons are exposed as a consequence of their employment and are aware of the possible exposure, and 2) general population/uncontrolled exposures in which the general public may be exposed and are not aware of their potential exposure. Specific populations are not surveyed for RFE hazards.

**K-055-560**

Thank you for your comment. Please see Volume 6 for an in depth discussion on utilities. The two locations mentioned in the comment are for potential long-term alternatives. These long-term power alternatives are only presented at a programmatic level. If pursued, future NEPA review would be required at the project specific level. Additional studies would be required prior to such NEPA review.

**K-055-561**

Thank you for your comment. Marine training operations would be conducted in the range that requires enough buffer zones for safety purposes and would not be located in the area that is adjacent to sensitive land uses. Therefore, it is unlikely that air and noise conditions at land uses around the training area would be impacted significantly.

**K-055-562**

Thank you for your comment.

**K-055-563**

Thank you for your comment. Proposed changes and increases in airspace use for Guam should have no impacts to airspace management or commercial and general aviation flights into and out of W.P. Won Pat

IAP or Anderson AFB air traffic. There would be no changes to current airspace management or the existing capability of air traffic control. There should be no changes to the quality or capacity of airspace use.

**K-055-564**

Thank you for your comment. As documented in this EIS, DoD acknowledges the existing sub-standard conditions of key public infrastructure systems and social services on Guam and the interest to have DoD fund improvements to these systems and services. DoD's ability to fund actions is limited by Federal law. However, to minimize adverse impacts associated with the proposed military relocation program, DoD is leading a federal inter-agency effort to identify other Federal programs and funding sources that could benefit the people of Guam.

**K-055-565**

Thank you for your comment. Plans and permits are discussed in Volume 8 of the FEIS.

**K-055-566**

Thank you for your comment.

**K-055-567**

Thank you for your comment.

**K-055-568**

Thank you for your comment. Volume 4, Chapter 2 identifies the requirements for the aircraft carrier based on the CVN Capable Berthing Study (found in the Appendices). The text was clarified in Chapter 2 to indicate that while the requirements for the aircraft carrier are presented in the Chapter, the utility studies conducted for the proposed actions accounted for the proposed demands associated with the personnel

numbers from the CVN and associated ships that comprise a Carrier Strike Group (CSG).

**K-055-569**

Thank you for your comment. Munitions storage facilities were sited in an area of Andersen AFB compatible with this military land use. Appropriate safety buffers are included in the proposed action.

**K-055-570**

Thank you for your comment. Facility planning for ammunition storage and establishing ESQD arcs would occur to ensure the safety of the public. The ESQD arcs restrict the construction of inhabited buildings and other non-munitions related activities near munitions storage areas.

**K-055-571**

Thank you for your comment. For a detailed discussion on utilities, please see Volume 6. Your observation is correct that DoD does not control the utilities required to meet the indirect impacts of the proposed buildup for increased civilian growth. DoD would coordinate with Guam utilities as much as possible to facilitate their planning for this potential future growth. For wastewater, subsequent to issuing the DEIS, DoD and Guam Waterworks Authority (GWA) reached agreement in principle to establish a private entity (PE). This PE would obtain a loan arranged by DoD to upgrade the North District Wastewater Treatment Plant (NDWWTP). The PE would also operate the plant and pay back the loan with user fees. The DoD would pay user fees established by a customer service agreement with GWA that would enable the PE to repay the loan. Future upgrades to add secondary treatment to the NDWWTP, if required, would be funded by the users based on their percentage of demand. The DoD would be one of the highest users would bear their fair share of that upgrade. This has been stated in the final EIS.

**K-055-572**

Thank you for your comment. The comment reiterates what is in the Draft EIS. Substantive response is not warranted.

**K-055-573**

Thank you for your comment. The comment appears to be a note about what is stated and no response is necessary.

**K-055-574**

Thank you for your comment.

It is not clear what the commenter is requesting.

**K-055-575**

Thank you for your comment. Impacts to cultural resources specifically concerns historic resources in accordance with the National Historic Preservation Act and the Archaeological Resources Protection Act. Impacts to Chamorro interests and modern culture are discussion under Socioeconomic Resources.

**K-055-576**

Thank you for your comment.

**K-055-577**

Thank you for your comment. The determination of significance of impacts can be found at the start of each chapter; in the instance of Geological and Soil Resources, it is found in Section 3.2.1 Approach to Analysis.

**K-055-578**

Thank you for your comment. All off-base roads would be owned and

maintained by Guam Department of Public Works. Guam DPW would be responsible for the easement the public roads are on.

The off-base roadway projects may be funded through the Defense Access Road (DAR) Program and annual allocations through the U.S. Department of Transportation (USDOT) Federal Highway Administration. The Defense Access Road Program provides the means for the Department of Defense (DoD) to pay a fair share for public highway improvements required as a result of a sudden or unusual defense-generated traffic impact or unique defense-related public highway requirement.

Volume 6, Chapter 1 has been updated to include a list of potential DAR projects. The DoD commits to seeking funding for these projects.

The Department of Defense, Guam Department of Public Works and Federal Highway Administration are continuing to work together to identify projects eligible for funding under the DAR program. The DoD will lead an interagency council which includes the USDOT to seek solutions to island-wide traffic issues.

**K-055-579**

Thank you for your comment. Additional information regarding land acquisition impacts is provided in the FEIS.

**K-055-580**

Thank you for your comment. Your recommended mitigation measure has been taken under consideration and expanded mitigation discussion is available in Volume 7 of the FEIS.

**K-055-581**

Thank you for your comment. As documented in this EIS, DoD

acknowledges the existing sub-standard conditions of key public infrastructure systems and social services on Guam and the interest to have DoD fund improvements to these systems and services. DoD's ability to fund actions is limited by federal law. However, to minimize adverse impacts associated with the proposed military relocation program, DoD is leading a federal inter-agency effort to identify other federal programs and funding sources that could benefit the people of Guam.

**K-055-582**

Thank you for your comment. The Final EIS has been updated (Volume 2) to better address impacts on social services.

**K-055-583**

Thank you for your comment. As noted in the SIAS, the public service impact methodology was intended to ensure that stated impacts are just those due to the proposed action, not pre-existing problems or deficits, or natural population increase. However, the existence of deficits for individual agencies is noted where applicable, and the impact analysis will also note the larger picture of deficits and challenges affecting GovGuam overall. As documented in this EIS, DoD acknowledges the existing sub-standard conditions of key public infrastructure systems and social services on Guam and the interest to have DoD fund improvements to these systems and services. DoD's ability to fund actions is limited by Federal law. However, to minimize adverse impacts associated with the proposed military relocation program, DoD is leading a federal inter-agency effort to identify other Federal programs and funding sources that could benefit the people of Guam.

**K-055-584**

Thank you for your comment. The Final EIS has been updated (Volume

2) to better address impacts on social services, including the service population of GDYA.

**K-055-585**

Thank you for your comment. The staffing numbers used in the analysis were derived from surveys and interviews performed in conjunction with the DEIS, and serve as a point-in-time indication of staffing levels. It is acknowledged that staffing levels fluctuate, and it is not possible for this analysis to capture all these fluctuations. It is expected that the Fiscal Impact Assessment, conducted by GovGuam consultants and funded by the Department of Defense Office of Economic Adjustment, will be able to more fully capture recent public service fluctuations.

**K-055-586**

Thank you for your comment. As noted earlier, DoD's ability to fund actions is limited by federal law. However, to minimize adverse impacts associated with the proposed military relocation program, DoD is leading a federal inter-agency effort to identify other federal programs and funding sources that could benefit the people of Guam.

**K-055-587**

Thank you for your comment. As noted previously, DoD acknowledges the existing substandard conditions of key public infrastructure systems and social services on Guam and the interest to have DoD fund improvements to these systems and services. DoD's ability to fund actions is limited by federal law. However, to minimize adverse impacts associated with the proposed military relocation program, DoD is leading a federal interagency effort to identify other federal programs and funding sources that could benefit the people of Guam.

**K-055-588**

Thank you for your comment. Analysis has been adjusted to take into account a service population of ages 5-21 as indicated in your comment.

**K-055-589**

Thank you for your comment.

**K-055-590**

Thank you for your comment. Edits have been made to the SIAS and FEIS as appropriate.

**K-055-591**

Thank you for your comment. As noted earlier, DoD's ability to fund actions is limited by federal law. However, to minimize adverse impacts associated with the proposed military relocation program, DoD is leading a federal inter-agency effort to identify other federal programs and funding sources that could benefit the people of Guam.

**K-055-592**

Thank you for your comment. Changes have been made as appropriate to the SIAS and FEIS.

**K-055-593**

Thank you for your comment. The staffing numbers used in the analysis were derived from surveys and interviews performed in conjunction with the DEIS, and serve as a point-in-time indication of staffing levels. It is acknowledged that staffing levels fluctuate, and it is not possible for this analysis to capture all these fluctuations. It is expected that the Fiscal Impact Assessment, conducted by GovGuam consultants and funded by the Department of Defense Office of Economic Adjustment, will be able to more fully capture recent public service fluctuations.

**K-055-594**

Thank you for your comment. As documented in this EIS, DoD acknowledges the existing sub-standard conditions of key public infrastructure systems and social services on Guam and the interest to have DoD fund improvements to these systems and services. DoD's ability to fund actions is limited by federal law. However, to minimize adverse impacts associated with the proposed military relocation program, DoD is leading a federal inter-agency effort to identify other federal programs and funding sources that could benefit the people of Guam.

**K-055-595**

Thank you for your comment. The baseline housing stock identified in the Guam Comprehensive Housing Study has no effect on the housing demand impact analysis which can be found in Section 4.3.2.1 of the Socioeconomic Impact Assessment Study (Appendix F of the DEIS). Baseline housing stock, whether it were zero or one million units, would not change the number of housing units expected to be in demand as a result of the proposed action.

**K-055-596**

Thank you for your comment. It is expected that all military personnel related to the proposed action, as well as their dependents, would be housed on-base.

**K-055-597**

Thank you for your comment. Updated discussion of mitigations is presented in the Final EIS.

**K-055-598**

Thank you for your comment. Volume 2 presents the number of housing units related to the Marine Relocation while the Socioeconomic Impact

Assessment Study (SIAS) includes housing units related to the Marine Relocation as well as housing unit impacts identified in Volumes 4, 5 and 6. The SIAS number should be higher than the Volume 2 number.

**K-055-599**

Thank you for your comment. Under the proposed action, all military personnel and their dependents would live on-base.

**K-055-600**

Thank you for your comment. Workforce housing would be provided by the contractors as described in Volume 2, Chapter 16, "Socioeconomics and General Services." DoD would not provide workforce housing, but design/construction contracts would require the contractor to accommodate the workforce in accordance with specified health and safety standards. Various proposals are being developed by potential contractors in anticipation of winning a contract. The timing and location are unknown for construction and/or renovation of housing to accommodate the construction workforce, but it is possible that some of the workforce housing projects would begin independently of DoD's Record of Decision.

There are no plans to allow contractors to locate workforce housing on DoD-controlled land. Therefore, it is anticipated that should workforce housing needs require the construction of new housing, such workforce housing would be located on either private or Government of Guam lands. In either instance Guam officials would control the underlying land use and permit decisions associated with the siting of such housing. DoD would work with Government of Guam land use and natural resource officials to identify any contractor plans or efforts to construct workforce housing and DOD shall ensure that contractors are informed of their responsibilities to comply with Government of Guam land use restrictions. In particular, the Guam Land Use Commission

recently issued GLUC 2009-1 which specifically addresses the issue of zoning for workforce housing.

**K-055-601**

Thank you for your comment. Adaptive management is proposed as potential mitigation in the Final EIS that could potentially extend the construction period. As currently envisioned (and as discussed in Volume 7 of the Final EIS), adaptive management would entail adjusting the construction tempo to reduce environmental impacts if it is determined that, through monitoring, key infrastructure systems on Guam are reaching “action” or “tipping” points. DoD would chair a multi-agency council that would oversee the application of adaptive management post-Record of Decision.

**K-055-602**

Thank you for your comment. As noted earlier, DoD’s ability to fund actions is limited by federal law. However, to minimize adverse impacts associated with the proposed military relocation program, DoD is leading a federal inter-agency effort to identify other federal programs and funding sources that could benefit the people of Guam. Your recommended mitigation measures have been taken under consideration. Expanded mitigation discussion is available in the FEIS.

**K-055-603**

Thank you for your comment.

**K-055-604**

Thank you for your comments. The DoD carefully considered all requests to extend the length of the comment period beyond the 45-day minimum required by NEPA. In evaluating multiple options, DoD leadership determined that a 90-day comment period best balanced the need for sufficient time to review a complex document with the

requirement to reach a timely decision regarding the proposed military buildup on Guam. 2010 census data was unavailable during the preparation of the EIS.

**K-055-605**

Thank you for your comment. The military buildup and equipment used during operations is not anticipated to interrupt over-the-air broadcasts. Limited interference may occur as a result of an aircraft flying or possibly during communications; however, this interference would be minimal and short term, if at all. Communications use specific frequencies that should not interfere with over-the-air transmissions. DoD supports public broadcasting within its limits under Federal law. Military families watching public television are anticipated to contribute to the public broadcasting system as they are capable.

**K-055-606**

Thank you for your comments. As noted previously, the EIS process provides information on environmental impacts (this includes the human environment); however, there is a limit to the specific details of the impacts because the information used is based on the continuation of existing trends and behaviors. While it is not an exact science, the EIS process along with the comments received provide information to the decision makers on the anticipated impacts of the proposed action.

**K-055-607**

Thank you for your comment. As documented in this EIS, the DoD acknowledges the existing sub-standard conditions of protective services on Guam and the interest to have DoD fund improvements to these services. DoD's ability to fund these services is limited by Federal law. However, to minimize adverse impacts associated with the proposed military relocation program, the DoD is leading a federal inter-agency

effort to identify other Federal programs and funding sources that could benefit the people of Guam.

**K-055-608**

Thank you for your comment. Information regarding existing staffing and facilities/equipment needs is captured in sections entitled "Existing Staffing Deficits" and "Additional Facilities and Equipment Needs" in the impacts section of the EIS.

**K-055-609**

Thank you for your comment. As noted in the SIAS, the public service impact methodology was intended to ensure that stated impacts are just those due to the proposed action, not pre-existing problems or deficits, or natural population increase. However, the existence of deficits for individual agencies is noted where applicable, and the impact analysis will also note the larger picture of deficits and challenges affecting GovGuam overall.

**K-055-610**

Thank you for your comment. As documented in this EIS, the DoD acknowledges the existing sub-standard conditions of health care and social services on Guam and the interest to have DoD fund improvements to these services. DoD's ability to fund these services is limited by Federal law. However, to minimize adverse impacts associated with the proposed military relocation program, the DoD is leading a federal inter-agency effort to identify other Federal programs and funding sources that could benefit the people of Guam. The Navy understands the importance of preventing diseases and will work with GovGuam to ensure health issues are appropriately addressed during and after the buildup. Volume 2, Chapter 16 discusses the impact of an increased patient to health care provider ratio as a result of population growth with implementation of the buildup (health care providers provide

treatment as well as preventative care). The impact analysis in Chapter 16 identifies significant adverse impacts to public service agencies influenced by population increases. These impacts would be mitigated by assisting GovGuam in funding for health services personnel. Possible measures discussed that the DoD could take to support increased staffing of required positions include seeking federal funding for necessary positions; increasing the number of private staffing and service contractors currently working for service agencies; and supporting a one-time hiring bonus of 20% of base pay for GovGuam agency positions, to increase interest in GovGuam agency employment. These measures could aid in increasing the number of health care professionals on Guam. The EIS does not identify specific health services or funding sources.

**K-055-611**

Thank you for your comment. Workforce housing would be provided by the contractors as described in Volume 2, Chapter 16, "Socioeconomics and General Services." DoD would not provide workforce housing, but design/construction contracts would require the contractor to accommodate the workforce in accordance with specified health and safety standards. Temporary Workforce Housing is also discussed in Section 4.3.2.4 of the Socioeconomic Impact Assessment Study (Appendix F of the DEIS).

**K-055-612**

Thank you for your comment. Currently, the USMC is not proposing to soundproof homes as a result of their action. Soundproofing by the USMC in high noise areas is not planned at this time because of several factors. Each individual structure has noise reduction capabilities and the average reduction for windows closed is about 25 dBA and 15 dBA with windows open (personal communication, Czech 2010). The amount of reduction for a specific structure depends upon many factors including; source and intensity of the noise, age of the structure, quality

of construction, type and quality of building materials, topography, other structures nearby, and the proximity of trees around the structure. Furthermore, at this time funds for soundproofing are not allowed because regulations prohibit using USMC project funds for improvements to property which the Navy/USMC does not have a real property interest.

**K-055-613**

Thank you for your comment. DoD plans to provide services to all incoming military personnel, their dependents, and military beneficiaries.

**K-055-614**

Thank you for your comment. The DoD has no statutory authority to construct a new public hospital for Guam. However, money from taxes, fees, and reimbursements would support these facilities and services. It should also be noted that in Okinawa, the Government of Japan pays much of the cost (\$2 billion per year) for the Marine base. The DoD plans to have several medical clinics in Guam and a new replacement Naval hospital would provide health services to the military personnel, their dependents, and military beneficiaries.

**K-055-615**

Thank you for your comment. It is anticipated H2B workers as well as on-island workers will have health plans and private clinics will provide medical services.

**K-055-616**

Thank you for your comment. The impacts of crimes on Guam are discussed in Volume 2 of the Final EIS. As noted in the SIAS: "A critical distinction when analyzing crime impacts is between the total numbers of crimes ("volume of crime") and the actual crime rate (numbers divided by population). Population increases always bring with them increases in

the volume of crime, but the crime rate would increase only if new populations are disproportionately likely to commit crimes."

The DoD acknowledges that any increase in population, such as the one that these proposed actions would cause, may be accompanied by an increase in overall crime and social disorder. The DoD also acknowledges that widely publicized instances of military crime in Okinawa cause Guam residents to be concerned about possible repercussions on the island brought about by the increase in military population on Guam. The increase in population during the construction phase of the build up is recognized as a time for concern for increases in incidents of crime. Moreover, it is also acknowledged that the age group of many military personnel is often characterized as prone to conflicts and misbehavior. DoD educates its service men and woman on good behavior and will act promptly and rigorously to curtail any misconduct and enforce laws to protect the citizens of Guam and our military personnel.

As noted earlier, DoD acknowledges the existing sub-standard conditions of key public infrastructure systems and social services on Guam and the interest to have DoD fund improvements to these systems and services. DoD's ability to fund actions is limited by federal law. However, to minimize adverse impacts associated with the proposed military relocation program, DoD is leading a federal inter-agency effort to identify other federal programs and funding sources that could benefit the people of Guam.

**K-055-617**

Thank you for your comment. As described in the Final EIS, runoff from the earth-covered magazines would be conveyed via LID infrastructure and BMPs prior to recharging the NGLA.

**K-055-618**

Thank you for your comment. The Department of Defense (DoD) and the Federal Highway Administration (FHWA) acknowledges that the issue of land acquisition is a complex and sensitive one. Land acquisition for off-base roadway projects are discussed in Volume 6, Chapter 10. Additional discussion on land acquisition for roadway projects has been added to the FEIS.

Should the Department of Defense (DOD) or the Federal Highway Administration (FHWA) determine that additional land is necessary to improve off-base roads to meet its requirements, the FHWA policy requires compliance with 42 United States Code Chapter 61 - *Uniform Relocation Assistance and Real Property Acquisition Policies for Federal and Federally Assisted Programs*. This regulation establishes a uniform policy for the fair and equitable treatment of persons displaced as a direct result of projects undertaken by a Federal agency or with Federal financial assistance.

This policy requires that the FHWA make every reasonable effort to acquire expeditiously real property by negotiation. The amount offered by the FHWA will be no less than the FHWA approved appraisal of the fair market value of such property. Where circumstances exist that require resolution of issues such as ownership or value, procedures exist under eminent domain authority to resolve those questions.

**K-055-619**

Thank you for your comment. Volume 1 introduces the contents of following volumes. The construction impacts on populations are addressed in subsequent Volumes 2 through 6. The impacts are described by resource in each volume. Construction-related impacts are identified.

**K-055-620**

Thank you for your comment. The Final EIS analyzes a number of subjects identifying the potential positive and negative impacts of the proposed action. Many of the beneficial impacts attributable to the proposed action are based on jobs and money (from construction and operational expenditure) that will flow into the economy. That specific information can be found in the Socioeconomic Impact Assessment Study (SIAS) that is Appendix F of Volume 9 in the EIS as well as the socioeconomic chapters of volumes 2 through 7. Jobs analysis was based on the number of dollars estimated to enter the Guam economy as a result of the proposed action. Overall, at the 2014 peak of construction and beginning of operations, the civilian labor force demand with the proposed action is 75% higher than it otherwise would have been without the project. By 2020, the difference declines to 12%. Analysis took into account historical information of people arriving on Guam from other areas (such as the Philippines and Freely Associated States of Micronesia) in search of jobs, to determine the number of new jobs generated by the proposed action that would go to Guam residents. Overall, analysis indicated that at the 2014 construction peak, Guam residents are expected to capture approximately 2,566 jobs and off-island workers would take 15,157 jobs. By 2020, the number of these jobs filled by Guam residents would decrease to 2,211 jobs, and off-island worker jobs would decrease to 3,935 jobs. It should be noted that the jobs that Guam residents would fill are based on the available supply of qualified workers. That is, it is anticipated that the new jobs would capture the amount of qualified workers on Guam for those positions. Economic benefits would also occur through the circulation of construction and operational dollars spent on Guam and the multiplier affect (recirculation of money) in the Guam economy. The economic benefit also consists of revenue to the government of Guam in form of taxes, user fees, and permits and approvals. Another area where benefit is seen is that the local businesses would be able to sell their goods and services during both the construction and operational periods. Volume 6

of the Draft EIS describes the existing utilities and infrastructures on Guam as well as the proposed actions that would provide the capacity needed for the additional population. Each utility is covered and for each one, the preferred actions (to achieve adequate capacity) are identified. In some cases, additional capacity with better treatment (i.e., wastewater) is being proposed. Roadways essential for the buildup would be improved, widened, and some bridges replaced by funds provided under the Defense Access Road (DAR) program.

**K-055-621**

Thank you for your comment. DoD acknowledges that the issue of land acquisition is a complex and sensitive one with both historical and contemporary contexts. Should DoD determine that additional land is necessary to meet its requirements, DoD policy requires that it negotiate with affected public and private land owners in good faith, seek agreements to acquire desired lands interests and pay fair market value.

DoD is confident that all parties can reach agreement on any potential land acquisition. Further, any proposed major DoD land acquisition, such as those associated with the preferred alternatives for the main cantonment and live fire ranges, must be approved by the Congressional defense committees.

Specific areas being considered for acquisition are identified in the Final EIS.

**K-055-622**

Thank you for your comment. Edits have been made in the SIAS and FEIS.

**K-055-623**

Thank you for your comment. Regulation of conditions for non-resident workers is the responsibility of the Guam Department of Labor, Alien Labor Processing and Certification Division.

**K-055-624**

Thank you for your comment. It is noted that the EIS process provides information on environmental impacts (this includes the human environment); however, there is a limit to the specific details of the impacts because the information used is based on the continuation of existing trends and behaviors. While it is not an exact science, the EIS process along with the comments received provide information to the decision makers on the anticipated impacts of the proposed action. It is also noted that the Socioeconomic Impact Assessment Study (SIAS) discussed an unconstrained (maximal) scenario and a constrained scenario. The two scenarios represent a range of impacts that could occur should the proposed project be implemented under the current schedule. The SIAS is provided as Appendix F, Volume 9 of the DEIS; it provides estimated numbers of immigrant workers but not at the occupational level of detail.

**K-055-625**

Thank you for your comment. Construction contractors would be responsible for health screening of H2B workers they bring in for project related work. The screenings occur prior to the workers arrival on Guam.

**K-055-626**

Thank you for your comment.

**K-055-627**

Thank you for your comment. Edits have been made to the SIAS and FEIS.

**K-055-628**

Thank you for your comment. Significance determinations are provided in the FEIS.

**K-055-629**

Thank you for your comment.

**K-055-630**

Thank you for your comment. On-base spending is not assumed to have a beneficial economic impact on the Guam economy; this spending was completely eliminated from analysis and only the off-base spending of military personnel was included.

**K-055-631**

Thank you for your comment. This information is in reference to GDPHSS BCDC in particular, not GDPHSS in total, and was based upon survey results received from the bureau.

**K-055-632**

Thank you for your comment. Information on crime impacts, as available, is provided in the FEIS.

The impacts of crimes on Guam are discussed in Volume 2 of the FEIS. As noted in the SIAS: "A critical distinction when analyzing crime impacts is between the total numbers of crimes ("volume of crime") and the actual crime rate (numbers divided by population). Population increases always bring with them increases in the volume of crime, but the crime rate would increase only if new populations are disproportionately likely to commit crimes."

The DoD acknowledges that any increase in population, such as the one that these proposed actions would cause, may be accompanied by an increase in overall crime and social disorder. The DoD also acknowledges that widely publicized instances of military crime in Okinawa cause Guam residents to be concerned about possible repercussions on the island brought about by the increase in military

population on Guam. The increase in population during the construction phase of the build up is recognized as a time for concern for increases in incidents of crime. Moreover, it is also acknowledged that the age group of many military personnel is often characterized as prone to conflicts and misbehavior. DoD educates its service men and woman on good behavior and will act promptly and rigorously to curtail any misconduct and enforce laws to protect the citizens of Guam and our military personnel.

**K-055-633**

Thank you for your comment. Workforce housing would be provided by the contractors as described in Volume 2, Chapter 16, "Socioeconomics and General Services." DoD would not provide workforce housing, but design/construction contracts would require the contractor to accommodate the workforce in accordance with specified health and safety standards. Various proposals are being developed by potential contractors in anticipation of winning a contract. The timing and location are unknown for construction and/or renovation of housing to accommodate the construction workforce, but it is possible that some of the workforce housing projects would begin independently of DoD's Record of Decision.

There are no plans to allow contractors to locate workforce housing on DoD-controlled land. Therefore, it is anticipated that should workforce housing needs require the construction of new housing, such workforce housing would be located on either private or Government of Guam lands. In either instance Guam officials would control the underlying land use and permit decisions associated with the siting of such housing. DoD would work with Government of Guam land use and natural resource officials to identify any contractor plans or efforts to construct workforce housing and DOD shall ensure that contractors are informed of their responsibilities to comply with Government of Guam land use restrictions. In particular, the Guam Land Use Commission

recently issued GLUC 2009-1 which specifically addresses the issue of zoning for workforce housing.

**K-055-634**

Thank you for your comment. It is noted that the EIS process provides information on environmental impacts (this includes the human environment); however, there is a limit to the specific details of the impacts because the information used is based on the continuation of existing trends and behaviors. While it is not an exact science, the EIS process along with the comments received provide information to the decision makers on the anticipated impacts of the proposed action.

As documented in this EIS, DoD acknowledges the existing sub-standard conditions of key public infrastructure systems and social services on Guam and the interest to have DoD fund improvements to these systems and services. DoD's ability to fund actions is limited by Federal law. However, to minimize adverse impacts associated with the proposed military relocation program, DoD is leading a federal inter-agency effort to identify other Federal programs and funding sources that could benefit the people of Guam.

**K-055-635**

Thank you for your comment. DoD recognizes the importance of managing efforts in implementing the proposed military relocation to reduce adverse effects on the people of Guam, its natural resources and infrastructure. The Final EIS process identifies ways to implement the proposed relocation while minimizing adverse impacts. DoD will continue to ensure that the short term impacts of construction are managed effectively and that the long term effects of the military relocation reflect DoD policies to be good neighbors and responsible citizens on Guam.

**K-055-636**

Thank you for your comment. The Draft EIS anticipates that military housing would be built within the main cantonment area. It is anticipated that the majority of Marine families would rent units in the military housing and generally would not compete with Guam residents for available housing units. After the construction period, housing and rental prices could decline because the construction labor force (not including the H2B who will live in dormitory type quarters) would leave Guam. Civilian military workers may vie for Guam housing; however, residential housing needed for these long-term workers would likely be about 3,200 units (maximal) by 2020 (Socioeconomic Impact Assessment Study [SIAS], Table ES-3, page v).

**K-055-637**

Thank you for your comment. Many of the beneficial impacts attributable to the proposed action are based on jobs and money (from construction and operational expenditure) that will flow into the economy. That specific information can be found in the Socioeconomic Impact Assessment Study (SIAS) that is Appendix F of Volume 9 in the EIS as well as the socioeconomic chapters of volumes 2 through 7.

**K-055-638**

Thank you for your comment. DoD recognizes the importance of managing efforts in implementing the proposed military relocation to reduce adverse effects on the people of Guam, its natural resources and infrastructure. The EIS process identifies ways to implement the proposed relocation while minimizing adverse impacts. DoD will continue to work to ensure that the short term impacts of construction are managed effectively and that the long term effects of the military relocation reflect DoD policies to be good neighbors and responsible citizens on Guam.

**K-055-639**

Thank you for your comment. The expected impacts the proposed action would have on selected Guam public service agencies are presented in Section 3.4 of the Socioeconomic Impact Assessment Study (Appendix F of the EIS).

**K-055-640**

Thank you for your comment. Economic analysis presented in the Socioeconomic Impact Assessment Study (Appendix F of the DEIS) was adjusted for Guam's capture rate; the impacts presented represent the economic impacts to Guam.

**K-055-641**

Thank you for your comment.

**K-055-642**

Thank you for your comment. The Final EIS has been updated (Volume 2) to better address impacts on social services.

**K-055-643**

Thank you for your comments; these have been addressed previously.

**K-055-644**

Thank you for your comment.

**K-055-645**

Thank you for your comment. DoD recognizes the importance of managing efforts in implementing the proposed military relocation to reduce adverse effects on the people of Guam, its natural resources and infrastructure. The EIS process identifies ways to implement the proposed relocation while minimizing adverse impacts. DoD will

continue to work with the people and Government of Guam to ensure that the short term impacts of construction are managed effectively and that the long term effects of the military relocation reflect DoD policies to be good neighbors and responsible citizens on Guam.

**K-055-646**

Thank you for your comment. Volume 2, Chapter 16 discusses the impact of an increased patient to health care provider ratio as a result of population growth with implementation of the buildup (health care providers provide treatment as well as preventative care). The impact analysis in Chapter 16 identifies significant adverse impacts to public service agencies influenced by population increases. These impacts would be mitigated by assisting GovGuam in funding for health services personnel. Possible measures discussed that the DoD could take to support increased staffing of required positions include seeking federal funding for necessary positions; increasing the number of private staffing and service contractors currently working for service agencies; and supporting a one-time hiring bonus of 20% of base pay for GovGuam agency positions, to increase interest in GovGuam agency employment. These measures could aid in increasing the number of health care professionals on Guam. The EIS does not identify specific health services or funding sources.

**K-055-647**

Thank you for your comment. As documented in this EIS, the DoD acknowledges the existing sub-standard conditions of social services on Guam and the interest to have DoD fund improvements to these services. DoD's ability to fund these services is limited by Federal law. However, to minimize adverse impacts associated with the proposed military relocation program, the DoD is leading a federal inter-agency effort to identify other Federal programs and funding sources that could benefit the people of Guam. The Navy understands the importance of preventing diseases and will work with GovGuam to ensure health

issues are appropriately addressed during and after the buildup. Volume 2, Chapter 16 discusses the impact of an increased patient to health care provider ratio as a result of population growth with implementation of the buildup (health care providers provide treatment as well as preventative care). The impact analysis in Chapter 16 identifies significant adverse impacts to public service agencies influenced by population increases. These impacts would be mitigated by assisting GovGuam in funding for health services personnel. Possible measures discussed that the DoD could take to support increased staffing of required positions include seeking federal funding for necessary positions; increasing the number of private staffing and service contractors currently working for service agencies; and supporting a one-time hiring bonus of 20% of base pay for GovGuam agency positions, to increase interest in GovGuam agency employment. These measures could aid in increasing the number of health care professionals on Guam. The EIS does not identify specific health services or funding sources.

**K-055-648**

Thank you for your comment. As documented in this EIS, the DoD recognizes the importance of managing efforts in implementing the proposed military relocation to reduce adverse effects on the people of Guam, its natural resources and infrastructure. The EIS process identifies ways to implement the proposed relocation while minimizing adverse impacts. DoD will continue to work with the people and Government of Guam to ensure that the short term impacts of construction are managed effectively and that the long term effects of the military relocation reflect DoD policies to be good neighbors and responsible citizens on Guam. The Navy understands the importance of preventing diseases and will work with GovGuam to ensure health issues are appropriately addressed during and after the buildup.

**K-055-649**

Thank you for your comment. Because smallpox was wiped out many years ago, a case of smallpox today would be the result of an intentional act. A single confirmed case of smallpox would be considered an emergency. Thanks to the success of vaccination, the last natural outbreak of smallpox in the U.S. occurred in 1949. By 1972, routine smallpox vaccinations for children in the U.S. were no longer needed. In 1980, smallpox was said to be wiped out worldwide, and no cases of naturally occurring smallpox have happened since. Today, the smallpox virus is kept in two approved labs in the U.S. and Russia. However, credible concern exists that the virus was made into a weapon by some countries and that terrorists may have obtained it. The Centers for Disease Control (CDC) calls it a "Category A" agent. Category A agents are believed to present the greatest potential threat for harming public health. A Smallpox Response Plan and Guidelines document has been developed by the CDC to provide direction to state and local health officials for responding to a smallpox emergency. The plan identifies many of the federal, state, and local public health activities that need to be undertaken in a smallpox emergency. It also provides guidelines for many of the general public health activities that would be undertaken during a smallpox emergency. This plan also includes the creation and use of special teams of health care and public health workers. If a smallpox case is found, these teams will take steps immediately to control the spread of the disease. Because small pox is believed to be eliminated worldwide, the EIS does not address a possible outbreak of the disease.

**K-055-650**

Thank you for your comment. As documented in this EIS, the DoD acknowledges the existing sub-standard conditions of social services on Guam and the interest to have DoD fund improvements to these services. DoD's ability to fund these services is limited by Federal law. However, to minimize adverse impacts associated with the proposed

military relocation program, the DoD is leading a federal inter-agency effort to identify other Federal programs and funding sources that could benefit the people of Guam. DoD recognizes the importance of managing efforts in implementing the proposed military relocation to reduce adverse effects on the people of Guam, its natural resources and infrastructure. The EIS process identifies ways to implement the proposed relocation while minimizing adverse impacts. DoD will continue to work with the people and Government of Guam to ensure that the short term impacts of construction are managed effectively and that the long term effects of the military relocation reflect DoD policies to be good neighbors and responsible citizens on Guam. The Navy understands the importance of preventing diseases and will work with GovGuam to ensure health issues are appropriately addressed during and after the buildup.

**K-055-651**

Thank you for your comment.

**K-055-652**

Thank you for your comment. Volume 2, Section 17.1.2 discusses the laws and regulations that the Navy must abide by during operations (e.g., use and storage of hazardous substances) to ensure public health and the environment are protected. Hazardous substances are controlled by laws and regulations administered by the U.S. Environmental Protection Agency (USEPA), the U.S. Occupational Safety and Health Administration (OSHA), and the U.S. Department of Transportation (DOT). USEPA regulations focus on the protection of human health and the environment. OSHA regulations protect employee and workplace health and safety. DOT regulations promote the safe transportation of hazardous substances used in commerce. Additionally, the U.S. territory of Guam oversees and administers its environmental laws and regulations through the Guam EPA (GEPA). DoD installations are required to comply with applicable federal, territorial (e.g., GEPA),

and DoD laws and regulations regarding the storage, handling, and disposal of hazardous substances. The Navy manages the storage, handling, and disposal of hazardous materials/waste to ensure compliance with Federal, local, and Navy hazardous materials management regulations and instructions/directives. Appropriate procedures have been established to identify training requirements for personnel routinely handling hazardous materials and to ensure a safe working environment and proper reporting/response in the event of a release. Volume 4, Section 18 indicates that the Navy conducts environmental monitoring in harbors frequented by its nuclear powered ships to provide assurance that procedures used by the Navy to control radioactivity are effective to protect the environment. Samples from the harbor are also checked at least annually by a DOE laboratory to provide a further check on the quality of the environmental sample analyses as a check of Navy results. Marine monitoring consists of analyzing harbor water, sediment, and marine life for radioactivity. This monitoring is supplemented by shoreline surveys.

**K-055-653**

Thank you for your comment. To minimize adverse impacts associated with the proposed military relocation program, DoD is leading a federal inter-agency effort to identify other Federal programs and funding sources that could benefit the people of Guam.

**K-055-654**

Thank you for your comment. The proposed action regarding the amphibious vehicles is presented in Volume 2 Chapter 2. The amphibious vehicle laydown or "parking area" project is described in Volume 2, Section 2.5. The proposed amphibious parking area location is designated on the eastern side of Inner Apra Harbor. Inner Apra Harbor is a working harbor and there are no residential areas in the vicinity. No roadway near residential areas is proposed in the area. The location was specifically sited to be far from other operations at the

harbor to minimize noise impacts to people working at the harbor. Environmental impacts associated with the project are addressed in the chapters of Volume 2 beginning with Chapter 3.

**K-055-655**

Thank you for your comment. As documented in this EIS, DoD acknowledges the existing sub-standard conditions of key public infrastructure systems and social services on Guam and the interest to have DoD fund improvements to these systems and services. DoD's ability to fund actions is limited by Federal law. However, to minimize adverse impacts associated with the proposed military relocation program, DoD is leading a federal inter-agency effort to identify other Federal programs and funding sources that could benefit the people of Guam.

**K-055-656**

Thank you for your comment. The Final EIS identifies approximate numbers of civilian employees to be hired by the DoD. Specific hiring procedures, however, are not addressed in the EIS. DoD follows standard Federal hiring procedures to fill DoD civilian positions. Those can be reviewed at <http://www.opm.gov>

**K-055-657**

Thank you for your comment. As documented in this EIS, the DoD acknowledges the existing sub-standard conditions of protective services on Guam and the interest to have DoD fund improvements to these services. DoD's ability to fund these services is limited by Federal law. However, to minimize adverse impacts associated with the proposed military relocation program, the DoD is leading a federal inter-agency effort to identify other Federal programs and funding sources that could benefit the people of Guam.

**K-055-658**

Thank you for your comment. As documented in this EIS, DoD acknowledges the existing sub-standard conditions of key public infrastructure systems and social services on Guam and the interest to have DoD fund improvements to these systems and services. DoD's ability to fund actions is limited by Federal law. However, to minimize adverse impacts associated with the proposed military relocation program, DoD is leading a federal inter-agency effort to identify other Federal programs and funding sources that could benefit the people of Guam.

**K-055-659**

Please see response to comment immediately above.

**K-055-660**

Thank you for your comment. The EIS does not identify any situation where an off-island worker would be paid more, for the same job, than a local Guam worker.

**K-055-661**

Thank you for your comment.

**K-055-662**

Thank you for your comment. Your recommended mitigation measure has been taken under consideration. Expanded mitigation discussion is available in Volume 7 of the FEIS.

**K-055-663**

Thank you for your comment. DoD's ability to fund actions is limited by federal law. However, to minimize adverse impacts associated with the proposed military relocation program, DoD is leading a federal inter-

agency effort to identify other federal programs and funding sources that could benefit the people of Guam.

**K-055-664**

Thank you for your comment. There are many reasons why the Marines (about half) are being moved from Okinawa. This discussion is provided in section 3.5.2 of the Socioeconomic Impact Assessment Study (SIAS) that is in Appendix F, Volume 9 of the Draft EIS. Serious crimes by military personnel in Okinawa are committed at a lower rate than the overall civilian population in Okinawa, despite reports to the contrary. Many serious crimes are based on singular incidents that are reported multiple times so that it appears to be multiple incidents.

The impacts of crimes on Guam are discussed in Volume 2 of the FEIS. As noted in the SIAS: "A critical distinction when analyzing crime impacts is between the total numbers of crimes ("volume of crime") and the actual crime rate (numbers divided by population). Population increases always bring with them increases in the volume of crime, but the crime rate would increase only if new populations are disproportionately likely to commit crimes."

The DoD acknowledges that any increase in population, such as the one that these proposed actions would cause, may be accompanied by a proportionate increase in crime and social disorder. The DoD also acknowledges that widely publicized instances of military crime in Okinawa cause Guam residents to be concerned about possible repercussions on the island brought about by the increase in military population on Guam. The increase in population during the construction phase of the build up is recognized as a time for concern for increases in incidents of crime. Moreover, it is also acknowledged that the age group of many military personnel is often characterized as prone to conflicts and misbehavior. DoD educates its service men and woman on good behavior and will act promptly and rigorously to curtail any misconduct

and enforce laws to protect the citizens of Guam and our military personnel.

**K-055-665**

Thank you for your comment. DoD acknowledges that the issue of land acquisition is a complex and sensitive one with both historical and contemporary contexts. Should DoD determine that additional land is necessary to meet its requirements, DoD policy requires that it negotiate with affected public and private land owners in good faith, seek agreements to acquire desired lands interests and pay fair market value.

DoD is confident that all parties can reach agreement on any potential land acquisition. Further, any proposed major DoD land acquisition, such as those associated with the preferred alternatives for the main cantonment and live fire ranges, must be approved by the Congressional defense committees.

Specific areas being considered for acquisition are identified in the Final EIS.

**K-055-666**

Thank you for your comment. The estimated increase in health care professionals specified in Section 18.2.6.5 is based on estimated natural population increase associated with the No-Action Alternative. The estimated numbers provided in the comment is referring to the peak buildup construction period. Volume 2, Section 16 discusses possible measures that the DoD could take to support increased staffing of required positions. These measures include seeking federal funding for necessary positions; increasing the number of private staffing and service contractors currently working for service agencies; and supporting a one-time hiring bonus of 20% of base pay for GovGuam agency positions, to increase interest in GovGuam agency employment. These measures could aid in increasing the number of health care professionals on Guam. The EIS does not identify specific funding sources. Volume 2, Section 16 also discusses additional staffing

requirements associated with increased health care professionals (e.g., administrative staff). The text indicates that while the analysis provides an outline of impacts on health professional requirements related to the proposed action, an important caveat to the analysis is that for every public health professional positions required, additional administrative staff are required to support the work of that professional. The GDPHSS Bureau of Primary Care Services (BPC), noted that for each health professional it employs, four additional support staff such as nurse aids and medical records clerks are required. The EIS does not estimate the number of additional administrative staff that would be needed to support the additional health care professionals.

**K-055-667**

Thank you for your comment. As documented in this EIS, the DoD acknowledges the existing sub-standard conditions of health care services on Guam and the interest to have DoD fund improvements to these services. DoD's ability to fund these services is limited by Federal law. However, to minimize adverse impacts associated with the proposed military relocation program, the DoD is leading a federal inter-agency effort to identify other Federal programs and funding sources that could benefit the people of Guam. Volume 2, Chapter 16 discusses the impact of an increased patient to health care provider ratio as a result of population growth with implementation of the buildup. The impact analysis in Chapter 16 identifies significant adverse impacts to public service agencies influenced by population increases. These impacts would be mitigated by assisting GovGuam in funding for health services personnel. Possible measures discusses that the DoD could take to support increased staffing of required positions include seeking federal funding for necessary positions; increasing the number of private staffing and service contractors currently working for service agencies; and supporting a one-time hiring bonus of 20% of base pay for GovGuam agency positions, to increase interest in GovGuam agency employment. These measures could aid in increasing the number of health care

professionals on Guam. The EIS does not identify specific funding sources.

**K-055-668**

Thank you for your comment. As documented in this EIS, the DoD acknowledges the existing sub-standard conditions of health care services on Guam and the interest to have DoD fund improvements to these services. DoD's ability to fund these services is limited by Federal law. However, to minimize adverse impacts associated with the proposed military relocation program, the DoD is leading a federal inter-agency effort to identify other Federal programs and funding sources that could benefit the people of Guam. Volume 2, Chapter 18 identifies less than significant impacts to public health and safety as a result of potential shortfalls in public health care services. Volume 2, Chapter 16 discusses the impact of an increased patient to health care provider ratio as a result of population growth with implementation of the buildup. The impact analysis in Chapter 16 identifies significant adverse impacts to public service agencies influenced by population increases. These impacts would be mitigated by assisting GovGuam in funding for health services personnel. Possible measures discusses that the DoD could take to support increased staffing of required positions include seeking federal funding for necessary positions; increasing the number of private staffing and service contractors currently working for service agencies; and supporting a one-time hiring bonus of 20% of base pay for GovGuam agency positions, to increase interest in GovGuam agency employment. These measures could aid in increasing the number of health care professionals on Guam. The EIS does not identify specific health services or funding sources.

**K-055-669**

Thank you for your comment. Please see response to K-055-667.

**K-055-670**

Thank you for your comment. Analysis of potential increase in chronic diseases is beyond the scope of issues analyzed in the EIS. A chronic disease is one lasting 3 months or more, by the definition of the U.S. National Center for Health Statistics. Four modifiable health risk behaviors 1) lack of physical activity, 2) poor nutrition, 3) tobacco use, and 4) excessive alcohol consumption are responsible for much of the illness, suffering, and early death related to chronic diseases. Chronic diseases tend to become more common with age. The leading chronic diseases in developed countries include arthritis, cardiovascular disease such as heart attacks and stroke, cancer such as breast or colon cancer, diabetes, epilepsy and seizures, obesity, and oral health problems. Each of these conditions typically plague older adults in the United States and other developed nations.

**K-055-671**

Thank you for your comment. As documented in this EIS, the DoD acknowledges the existing sub-standard conditions of social services on Guam and the interest to have DoD fund improvements to these services. DoD's ability to fund these services is limited by Federal law. However, to minimize adverse impacts associated with the proposed military relocation program, the DoD is leading a federal inter-agency effort to identify other Federal programs and funding sources that could benefit the people of Guam.

**K-055-672**

Thank you for your comment. Volume 2, Section 16.2 discusses additional staffing requirements associated with increased health care professionals (e.g., administrative staff). The text indicates that while the analysis provides an outline of impacts on health professional requirements related to the proposed action, an important caveat to the analysis is that for every public health professional position required, additional administrative staff are required to support the work of that

professional. The GDPHSS Bureau of Primary Care Services (BPC), noted that for each health professional it employs, four additional support staff such as nurse aids and medical records clerks are required. The EIS does not estimate the number of additional administrative staff that would be needed to support the additional health care professionals.

**K-055-673**

Thank you for your comment. As documented in this EIS, the DoD acknowledges the existing sub-standard conditions of social services on Guam and the interest to have DoD fund improvements to these services. DoD's ability to fund these services is limited by Federal law. However, to minimize adverse impacts associated with the proposed military relocation program, the DoD is leading a federal inter-agency effort to identify other Federal programs and funding sources that could benefit the people of Guam.

**K-055-674**

Thank you for your comment. The SIAS has been revised.

**K-055-675**

Thank you for your comment.

**K-055-676**

Thank you for your comment. The estimated increase in health care professionals specified in Section 18.2.6.5 is based on estimated natural population increase associated with the No-Action Alternative. GovGuam would be responsible for addressing future staffing of health care professional as a result of natural population increase.

**K-055-677**

Thank you for your comment. As documented in this EIS, the DoD acknowledges the existing sub-standard conditions of social services on

Guam and the interest to have DoD fund improvements to these services. DoD's ability to fund these services is limited by Federal law. However, to minimize adverse impacts associated with the proposed military relocation program, the DoD is leading a federal inter-agency effort to identify other Federal programs and funding sources that could benefit the people of Guam. Volume 2, Chapter 16 discusses the impact of an increased patient to health care provider ratio as a result of population growth with implementation of the buildup. The impact analysis in Chapter 16 identifies significant adverse impacts to public service agencies influenced by population increases. These impacts would be mitigated by assisting GovGuam in funding for health services personnel. Possible measures discusses that the DoD could take to support increased staffing of required positions include seeking federal funding for necessary positions; increasing the number of private staffing and service contractors currently working for service agencies; and supporting a one-time hiring bonus of 20% of base pay for GovGuam agency positions, to increase interest in GovGuam agency employment. These measures could aid in increasing the number of health care professionals on Guam. The EIS does not identify specific funding sources.

**K-055-678**

Thank you for your comment.

**K-055-679**

Thank you for your comment. The estimated increase in health care professionals specified in Section 18.2.6.5 is based on estimated natural population increase associated with the No-Action Alternative. GovGuam would be responsible for addressing future staffing of health care professional as a result of natural population increase.

**K-055-680**

Thank you for your comment. Please see response to K-055-677.

**K-055-681**

Thank you for your comment. Edits have been made to the SIAS and FEIS.

**K-055-682**

Thank you for your comment. Text has been added to clarify that 1 of the 4 reported cases of cholera in 2000 was contracted off-island. As documented in this EIS, the DoD acknowledges the existing sub-standard conditions of social services on Guam and the interest to have DoD fund improvements to these services. DoD's ability to fund these services is limited by Federal law. However, to minimize adverse impacts associated with the proposed military relocation program, the DoD is leading a federal inter-agency effort to identify other Federal programs and funding sources that could benefit the people of Guam. Volume 2, Section 16 discusses possible measures that the DoD could take to support increased staffing of required positions. These measures include seeking federal funding for necessary positions; increasing the number of private staffing and service contractors currently working for service agencies; and supporting a one-time hiring bonus of 20% of base pay for GovGuam agency positions, to increase interest in GovGuam agency employment. These measures could aid in increasing the number of health care professionals on Guam. The EIS does not identify specific funding sources. Volume 2, Section 16 also discusses additional staffing requirements associated with increased health care professionals (e.g., administrative staff). The text indicates that while the analysis provides an outline of impacts on health professional requirements related to the proposed action, an important caveat to the analysis is that for every public health professional positions required, additional administrative staff are required to support the work of that professional. The GDPHSS Bureau of Primary Care Services (BPC), noted that for each health

professional it employs, four additional support staff such as nurse aids and medical records clerks are required. The EIS does not estimate the number of additional administrative staff that would be needed to support the additional health care professionals.

**K-055-683**

Thank you for your comment. Volume 2, Section 18 indicates that with construction activities, there is a potential for standing water and water based vectors such as mosquitoes and related diseases. To limit the amount of standing water at construction sites, BMPs would be implemented such as draining or filling stagnant water pools, puddles, and ditches; removal of containers that catch/trap water (e.g., buckets, old tires, cans); and if necessary, apply pesticide (e.g., *Bacillus thuringensis*) to help control mosquitoes. Implementing these BMPs would reduce the opportunities for an outbreak of water-related diseases.

**K-055-684**

Thank you for your comment. As documented in this EIS, the DoD acknowledges the existing sub-standard conditions of social services on Guam and the interest to have DoD fund improvements to these services. DoD's ability to fund these services is limited by Federal law. However, to minimize adverse impacts associated with the proposed military relocation program, the DoD is leading a federal inter-agency effort to identify other Federal programs and funding sources that could benefit the people of Guam. Volume 2, Section 16 discusses possible measures that the DoD could take to support increased staffing of required positions. These measures include seeking federal funding for necessary positions; increasing the number of private staffing and service contractors currently working for service agencies; and supporting a one-time hiring bonus of 20% of base pay for GovGuam agency positions, to increase interest in GovGuam agency employment. These measures could aid in increasing the number of health care

professionals on Guam. The EIS does not identify specific funding sources.

**K-055-685**

Thank you for your comment. As documented in this EIS, the DoD acknowledges the existing sub-standard conditions of social services on Guam and the interest to have DoD fund improvements to these services. DoD's ability to fund these services is limited by Federal law. However, to minimize adverse impacts associated with the proposed military relocation program, the DoD is leading a federal inter-agency effort to identify other Federal programs and funding sources that could benefit the people of Guam.

**K-055-686**

Thank you for your comment.

**K-055-687**

Thank you for your comment. Please see response to K-055-685.

**K-055-688**

Thank you for your comment. As documented in this EIS, DoD acknowledges the existing sub-standard conditions of key public infrastructure systems and social services on Guam and the interest to have DoD fund improvements to these systems and services. DoD's ability to fund actions is limited by Federal law. However, to minimize adverse impacts associated with the proposed military relocation program, DoD is leading a federal inter-agency effort to identify other Federal programs and funding sources that could benefit the people of Guam.

**K-055-689**

Thank you for your comment. The data used in the analysis were derived

from surveys and interviews performed in conjunction with the DEIS, and serve as a point-in-time indication of staffing levels. It is acknowledged that it is not possible for this analysis to capture all requirements of GovGuam agencies. It is expected that the Fiscal Impact Assessment, conducted by GovGuam consultants and funded by the Department of Defense Office of Economic Adjustment, will be able to more fully capture recent public service fluctuations, and provide a more detailed indication of fiscal impacts to GovGuam agencies. As noted in the SIAS, the public service impact methodology was intended to ensure that stated impacts are just those due to the proposed action, not pre-existing problems or deficits, or natural population increase. However, the existence of deficits for individual agencies is noted where applicable, and the impact analysis will also note the larger picture of deficits and challenges affecting GovGuam overall.

**K-055-690**

Thank you for your comment. The data used in the analysis were derived from surveys and interviews performed in conjunction with the DEIS, and serve as a point-in-time indication of staffing levels. It is acknowledged that it is not possible for this analysis to capture all requirements of GovGuam agencies. It is expected that the Fiscal Impact Assessment, conducted by GovGuam consultants and funded by the Department of Defense Office of Economic Adjustment, will be able to more fully capture recent public service fluctuations, and provide a more detailed indication of fiscal impacts to GovGuam agencies. As noted in the SIAS, the public service impact methodology was intended to ensure that stated impacts are just those due to the proposed action, not pre-existing problems or deficits, or natural population increase. However, the existence of deficits for individual agencies is noted where applicable, and the impact analysis will also note the larger picture of deficits and challenges affecting GovGuam overall.

**K-055-691**

Thank you for your comment. Please see response to comment directly above.

**K-055-692**

Thank you for your comment. As documented in this EIS, the DoD acknowledges the existing sub-standard conditions of social services on Guam and the interest to have DoD fund improvements to these services. DoD's ability to fund these services is limited by federal law. However, to minimize adverse impacts associated with the proposed military relocation program, the DoD is leading a federal inter-agency effort to identify other federal programs and funding sources that could benefit the people of Guam.

**K-055-693**

Thank you for your comment. Expanded mitigation discussion is available in the FEIS.

**K-055-694**

Thank you for your comment. Please see response to K-055-692.

**K-055-695**

Thank you for your comment. As documented in this EIS, DoD acknowledges the existing sub-standard conditions of key public infrastructure systems and social services on Guam and the interest to have DoD fund improvements to these systems and services. DoD's ability to fund actions is limited by Federal law. However, to minimize adverse impacts associated with the proposed military relocation program, DoD is leading a federal inter-agency effort to identify other Federal programs and funding sources that could benefit the people of Guam.

**K-055-696**

Thank you for your comment. Analysis of Labor Force Demand (Section 4.3.1.1 of the SIAS), under both the unconstrained and constrained scenarios, assumes that some military dependents would be employed as civilian military workers - up to about 940 dependents working as civilian military workers. Analysis in the constrained scenario further estimates that other military dependents would participate in the Guam labor market, and would compete for jobs with other Guam residents.

**K-055-697**

Thank you for your comment. Please see response to K-055-695.

**K-055-698**

Thank you for your comment. Please see response to comment immediately above.

**K-055-699**

Thank you for your comment. Edits have been made as appropriate.

**K-055-700**

Thank you for your comment. Department of Public Health and Social Services rule and regulation changes are not part of the proposed action and are not discussed in the EIS.

**K-055-701**

Thank you for your comment. It is noted that the EIS process provides information on environmental impacts (this includes the human environment); however, there is a limit to the specific details of the impacts because the information used is based on the continuation of existing trends and behaviors. While it is not an exact science, the EIS process along with the comments received provide information to the decision makers on the anticipated impacts of the proposed action.

Qualitative acknowledgment of the other services provided by the DEH can be provided in the FEIS. The staffing numbers used in the analysis were derived from surveys and interviews performed in conjunction with the DEIS, and serve as a point-in-time indication of staffing levels. It is acknowledged that staffing levels fluctuate, and it is not possible for this analysis to capture all these fluctuations. It is expected that the Fiscal Impact Assessment, conducted by GovGuam consultants and funded by the Department of Defense Office of Economic Adjustment, will be able to more fully capture recent public service fluctuations.

**K-055-702**

Thank you for your comment. As documented in this EIS, the DoD acknowledges the existing sub-standard conditions of social services on Guam and the interest to have DoD fund improvements to these services. DoD's ability to fund these services is limited by Federal law. However, to minimize adverse impacts associated with the proposed military relocation program, the DoD is leading a federal inter-agency effort to identify other Federal programs and funding sources that could benefit the people of Guam. Volume 2, Section 18 indicates that with construction activities, there is a potential for standing water and water based vectors such as mosquitoes and related diseases. To limit the amount of standing water at construction sites, the following BMPs could be implemented: draining or filling stagnant water pools, puddles, and ditches, removal of containers that catch/trap water (e.g., buckets, old tires, cans), and if necessary, apply pesticide (e.g., *Bacillus thuringensis*) to help control mosquitoes. Implementing these BMPs would reduce the opportunities for an outbreak of water-related diseases.

**K-055-703**

Thank you for your comment. Please see Section 2.2.4 of the Socioeconomic Impact Assessment Study (Appendix F of the DEIS) for the approach to analysis for permitting agencies. It is noted that the EIS process provides information on environmental

impacts (this includes the human environment); however, there is a limit to the specific details of the impacts because the information used is based on the continuation of existing trends and behaviors. While it is not an exact science, the EIS process along with the comments received provide information to the decision makers on the anticipated impacts of the proposed action. The data used in the analysis were derived from surveys and interviews performed in conjunction with the DEIS, and serve as a point-in-time indication of staffing levels. It is acknowledged that it is not possible for this analysis to capture all requirements of GovGuam agencies. It is expected that the Fiscal Impact Assessment, conducted by GovGuam consultants and funded by the Department of Defense Office of Economic Adjustment, will be able to more fully capture recent public service impacts, and provide a more detailed indication of fiscal impacts to GovGuam agencies.

**K-055-704**

Thank you for your comment. It is noted that the EIS process provides information on environmental impacts (this includes the human environment); however, there is a limit to the specific details of the impacts because the information used is based on the continuation of existing trends and behaviors. While it is not an exact science, the EIS process along with the comments received provide information to the decision makers on the anticipated impacts of the proposed action.

**K-055-705**

Thank you for your comment. The Final EIS identifies approximate numbers of civilian employees to be hired by the DoD. Specific hiring procedures, however, are not addressed in the EIS. DoD follows standard Federal hiring procedures to fill DoD civilian positions. Those can be reviewed at <http://www.opm.gov>.

**K-055-706**

Thank you for your comment. It is noted that the EIS process provides information on environmental impacts (this includes the human environment); however, there is a limit to the specific details of the impacts because the information used is based on the continuation of existing trends and behaviors. It is acknowledged that it is not possible for this analysis to capture all requirements of GovGuam agencies, including impact on support staff. It is expected that the Fiscal Impact Assessment, conducted by GovGuam consultants and funded by the Department of Defense Office of Economic Adjustment, will be able to more fully capture recent public service impacts, and provide a more detailed indication of fiscal impacts to GovGuam agencies.

**K-055-707**

Thank you for your comment. DoD's ability to fund actions is limited by Federal law. However, to minimize adverse impacts associated with the proposed military relocation program, DoD is leading a federal inter-agency effort to identify other Federal programs and funding sources that could benefit the people of Guam.

**K-055-708**

Thank you for your comment. Your recommended mitigation measures has been taken under consideration. Expanded mitigation discussion is available in the FEIS.

**K-055-709**

Thank you for your comment. The expected impact on demographics is presented in Section 4.2.2 of the Socioeconomic Impact Assessment study (Appendix F of the DEIS).

Your recommended mitigation measure has been taken under consideration. Expanded mitigation discussion is available in the FEIS.

**K-055-710**

Thank you for your comment. Your recommended mitigation measure has been taken under consideration. Expanded mitigation discussion is available in the FEIS.

**K-055-711**

Thank you for your comment. Through the process of public involvement that has accompanied this proposed action, the Chamorro people have voiced clearly and concisely their concern that the traditional Chamorro culture, including dance, language and traditions, will be forgotten. The DoD plans for cultural sensitivity orientation and awareness programs will focus on mutual respect and tolerance and strive to educate all military personnel on the rich and varied cultural history that has created the Chamorro culture today. Results of the historic studies done on Guam will be made available to the people on the island.

**K-055-712**

Thank you for your comment. Your recommended mitigation measure has been taken under consideration. Expanded mitigation discussion is available in the FEIS.

**K-055-713**

Thank you for your comment. As documented in this EIS, DoD acknowledges the existing sub-standard conditions of key public infrastructure systems and social services on Guam and the interest to have DoD fund improvements to these systems and services. DoD's ability to fund actions is limited by Federal law. However, to minimize adverse impacts associated with the proposed military relocation

program, DoD is leading a federal inter-agency effort to identify other Federal programs and funding sources that could benefit the people of Guam.

**K-055-714**

Thank you for your comments.

**K-055-715**

Thank you for your comment. Your recommended mitigation measures have been taken under consideration. Expanded mitigation discussion is available in the FEIS.

**K-055-716**

Thank you for your comment. It is noted that the EIS process provides information on environmental impacts (this includes the human environment); however, there is a limit to the specific details of the impacts because the information used is based on the continuation of existing trends and behaviors. While it is not an exact science, the EIS process along with the comments received provide information to the decision makers on the anticipated impacts of the proposed action.

**K-055-717**

Thank you for your comment. Please see Section 4.4.1 of the Socioeconomic Impact Assessment Study (SIAS), which is Appendix F, Volume 9 of the DEIS for information on the expected impacts the proposed action would have on the government of Guam's (agencies) staffing requirements. The analysis in the SIAS includes both direct and indirect impacts including those who move to Guam for work related to the proposed action. Another study, funded by DoD's Office of Economic Adjustment, is underway; this is the Fiscal Impact Assessment that identifies the needs of the government of Guam and possible sources of funding.

Please see Section 4.3.1.2 of the SIAS for information on probable sources of labor supply.

**K-055-718**

Thank you for your comment.

**K-055-719**

Thank you for your comment. Please see Section 4.2.2 of the Socioeconomic Impact Assessment Study (Appendix F of the DEIS) for information on expected impacts on demographics.

Your recommended mitigation measure has been taken under consideration. Expanded mitigation discussion is available in the FEIS.

**K-055-720**

Thank you for your comment.

**K-055-721**

Thank you for your comment. Please see Chapter 5 of the Socioeconomic Impact Assessment Study (Appendix F of the DEIS) for information on expected impacts on the CNMI.

**K-055-722**

Thank you for your comment. Please see Section 4.4.1 of the Socioeconomic Impact Assessment Study (SIAS), which is Appendix F, Volume 9 of the DEIS for information on the expected impacts the proposed action would have on the government of Guam's (agencies) staffing requirements. The analysis in the SIAS includes both direct and indirect impacts including those who move to Guam for work related to the proposed action. Another study, funded by DoD's Office of Economic Adjustment, is underway; this is the Fiscal Impact Assessment

that identifies the needs of the government of Guam and possible sources of funding.

Please see Section 4.3.1.2 of the SIAS for information on probable sources of labor supply.

It is also noted that the EIS process provides information on environmental impacts (this includes the human environment); however, there is a limit to the specific details of the impacts because the information used is based on the continuation of existing trends and behaviors. While it is not an exact science, the EIS process along with the comments received provide information to the decision makers on the anticipated impacts of the proposed action.

**K-055-723**

Thank you for your comment.

**K-055-724**

Thank you for your comment. The text mentioned has been removed from the SIAS.

**K-055-725**

Thank you for your comment.

**K-055-726**

Thank you for your comment. Guam Department of Labor (GDOL) was not surveyed because the Department was not considered a provider of social services. Information from interviews with GDOL is included in Appendix D of the Socioeconomic Impact Assessment Study (SIAS, which is Appendix F of the DEIS) and analysis is conducted for GDOL's Alien Labor Processing and Certification Division in Section 4.4.6 of the SIAS.

**K-055-727**

Thank you for your comment. The Socioeconomic Impact Assessment Study (SIAS, which is Appendix F of the DEIS) provides baseline information on Guam's workforce in Section 3.3.1 and shows incremental impacts to employment and income in Section 4.3.1.

**K-055-728**

Thank you for your comment. Your recommended mitigation measure has been taken under consideration. Expanded mitigation discussion is available in the FEIS.

**K-055-729**

Thank you for your comment.

**K-055-730**

Thank you for your comment.

**K-055-731**

Thank you for your comment. It is noted that the EIS process provides information on environmental impacts (this includes the human environment); however, there is a limit to the specific details of the impacts because the information used is based on the continuation of existing trends and behaviors. While it is not an exact science, the EIS process along with the comments received provide information to the decision makers on the anticipated impacts of the proposed action. It is also noted that the Socioeconomic Impact Assessment Study (SIAS) discussed an unconstrained (maximal) scenario and a constrained scenario. The two scenarios represent a range of impacts that could occur should the proposed project be implemented under the current schedule. The SIAS is provided as Appendix F, Volume 9 of the DEIS.

**K-055-732**

Thank you for your comment.

**K-055-733**

Thank you for your comment. Volume 8 incorporates the agency and permitting information related to the proposed actions.

**K-055-734**

Thank you for your comment. Your recommended mitigation measure has been taken under consideration. Expanded mitigation discussion is available in the FEIS.

**K-055-735**

Thank you for your comment.

**K-055-736**

Thank you for your comment. It is the responsibility of construction contractors to see that H2B workers leave Guam once they have completed work.

Your recommended mitigation measure has been taken under consideration. Expanded mitigation discussion is available in the FEIS.

**K-055-737**

Thank you for your comments. The expected number of H2B workers related to the proposed action is presented in Table 4.3-9 of the Socioeconomic Impact Assessment Study (Appendix F of the DEIS).

Senator Judith Paulette Guthertz, DPA  
Assistant Majority Leader



*I Mina Trenta na Liheslaturan Guåha.*  
Thirtieth Guam Legislature

CHAIRPERSON, COMMITTEE ON THE GUAM MILITARY BUILDUP AND HOMELAND SECURITY  
155 Hessler Place, Hagåtña, Guam 96910 • Phone: (671) 472-JUDI (5884) • Fax: (671) 472-3547 • judguthertz@pticon.com

January 28, 2010

Major General David Bice, USMC (Ret.)  
Executive Director  
Joint Guam Program Office (JGPO)  
PSC 455 Box 152, FPO AP 96540-1000

Dear General Bice:

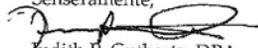
The attached paper is my second official "Comment" for the DFIS. The title is:  
**GUTHERTZ COMMENT PAPER ON STRETCHING AND SPREADING THE BUILDUP.**

Once again, I am searching for "win-win" practical solutions to the various issues that exist. In this case, the solution would be a three-way win, for America, for Japan, and for Guam.

We all need to think "out of the box" to accommodate the core interests of the parties involved. In my solution, we even accommodate the desires of the people of Tinian.

I hope that this creative solution will be seriously considered by the powers that be, and that Guam is included at the table for any discussions concerning this matter.

Senseramente,

  
Judith P. Guthertz, DPA  
Senator

c: Barack Obama, President of the United States  
The Honorable Felix P. Camacho, Governor of Guam  
The Honorable Hillary R. Clinton, Secretary of State  
The Honorable Robert Gates, Secretary of Defense  
The Honorable Ray Mabus, Secretary of the Navy  
The Honorable Michael B. Donley, Secretary of the Air Force  
The Honorable Madeleine Z. Bordallo, Guam Delegate to Congress  
The Honorable Gregorio Sablan, CNMI Delegate to Congress  
The Honorable Ken Salazar, Secretary of the Interior  
The Honorable Benigno R. Fitial, Governor of the Commonwealth of the Northern Mariana Islands



Letter from Sen. Judith Guthertz  
To Major General David Bice  
January 28, 2010  
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The Honorable Ramon M. Dela Cruz, Mayor of Tinian and Aguijan, CNMI  
The Honorable Roger Natsuhara, Assistant Secretary of the Navy for Installations and Environment  
The Honorable Anthony Babauta, Assistant Secretary of the Interior for Insular Affairs  
Rear Admiral Douglass Biesel, U.S.N., Commander, Joint Region Marianas  
Brigadier General Philip Ruhlman, U.S.A.F., Deputy Commander, Joint Region Marianas  
All Senators, 30th Guam Legislature

Senator Judith Paulette Guthertz, DPA  
Assistant Majority Leader



*I Mina Trenta na Liheslaturan Guåhan*  
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January 28, 2010

Major General David Bice, USMC (Ret.)  
Executive Director  
Joint Guam Program Office (JGPO)  
PSC 455 Box 152, FPO AP 96540-1000

Dear General Bice:

**GUTHERTZ COMMENT PAPER ON STRETCHING AND SPREADING  
THE BUILDUP -- AN OFFICIAL SUBMISSION FOR THE DEIS REVIEW  
PROCESS.**

**ISSUE:**

There is a three way problem concerning the proposed relocation of Marine Corps forces currently located in Okinawa. The people of Nago, the intended location for the aviation units at Futenma just elected a mayor who is against the relocation. Secretary of Defense Gates has stated that there will be no relocation of Marines to Guam until there is agreement on moving the aviation units out of Futenma. The people of Guam are beginning to realize that the proposed relocation to Guam is too large and too quick for Guam's governmental services and infrastructure to adapt.

**BACKGROUND:**

The election of anti-U.S. base candidate Susumu Inamine earlier this month as mayor of Nago, Okinawa Prefecture, has virtually ended the possibility of relocating the Marine Corps Air Station Futenma, as previously agreed upon in a bilateral accord between the U.S. and Japan. This situation creates a problem among the United States, Guam and Japan regarding the proposed relocation of Marines to Guam and the movement of the Futenma Marine contingent to Nago.

Prime Minister Hatoyama has reacted to the recent Nago election by saying that "The country will start from scratch on this issue and take responsibility." Secretary of Defense Gates has stated that without the move from Futenma there will be no move to Guam. In Guam, the public sentiment for the buildup is rapidly shifting from positive to negative as the



Letter from Sen. Judith Cuthertz  
To Major General David Bice  
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details in the Draft Environmental Impact Statement (DEIS) are being understood.

It is becoming more and more apparent among the people of Guam that the proposed buildup is for too many too soon, and is coming too quickly. This official "Comment Paper" offers a "win-win-win" proposal that will accommodate the basic needs of all three parties.

In 1980, the military command in Hawaii conducted a study of the feasibility of the home-porting of an aircraft carrier battle group in Guam. That option would have seen about 10,000 sailors plus their families being located to Guam. The policy decision was made by the Commander, Pacific Command, that it was not feasible because it would be too large a jump in the population of Guam, straining the local infrastructure. A policy was set that no increase of greater than ten percent would occur at any one time for the military footprint in Guam. If any increase was limited to no more than ten percent, then the local support structure could absorb it. Accordingly, the stores ships with the associated helicopter squadron were located to Guam, instead of a carrier battle group.

In 1991, the Mount Pinatubo volcanic eruption disrupted operations at Clark Air Force Base in the Philippines. This event was rapidly followed by the defeat of a proposed treaty to extend the American presence in the Philippines. The Air Force initially planned to move everything from Clark to Andersen AFB in Guam, but this would have been a jump in the footprint size of greater than ten percent. Accordingly, most Air Force units were relocated to the mainland U.S.

Now, in 2010, we see the military proposing a jump in its footprint from about 12,700 (4,000 Navy, 2,500 Air Force and 6,200 dependents) to a new footprint of 8,652 Marines and 9,000 dependents; 630 Army with 950 dependents; 4,600 Air Force with 3,730 dependents; 5,600 Navy with 5,280 dependents; and 140 Coast Guard with 180 dependents. Add to that the 2,000 "transiting" Marines and you get numbers totaling 21,622 active duty with 19,140 dependents, or 40,762 people.

This new footprint is not a ten percent increase. It's not even a fifty percent increase. It is a whopping 321 percent increase, more than three times the current numbers! And the relocation is to take place in three years, from 2014 to 2016!

#### K-056-001

Thank you for your comment. Please review the Socioeconomic Impact Assessment Study (Appendix F of the EIS) for detailed information on estimated total population increase. Table 4.2-3 provides information for the unconstrained scenario (high end of range) and Table 4.2-6 provides information for the constrained scenario (low end of range).

As documented in this EIS, DoD acknowledges the existing sub-standard conditions of key public infrastructure systems and social services on Guam and the interest to have DoD fund improvements to these systems and services. DoD's ability to fund actions is limited by Federal law. However, to minimize adverse impacts associated with the proposed military relocation program, DoD is leading a federal inter-agency effort to identify other Federal programs and funding sources that could benefit the people of Guam.

K-056-001



Letter from Sen. Judith Guthertz  
To Major General David Bice  
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Page no. 3

K-056-001

Guam's local support structure for governmental services and infrastructure could be broken by these numbers. To add insult to injury, Guam has not seen any comforting words out of Washington D.C. that the federal government will fund our local costs of the buildup. The borrowing capacity of our local government has been exhausted. If either our federal government, or the government of Japan does not fund our local needs, we will end up in the disastrous situation of having two Guams: a first-world Guam inside the military fences, and third-world Guam outside the fences.

In 1990, in the context of the political status negotiations with Guam, then-Secretary of Defense Dick Cheney signed a paper pledging that the Pentagon would conduct prior consultations with the Government of Guam regarding any desired change in the military footprint in Guam. The Pentagon is breaking that solemn promise. No discussions were held with the Government of Guam prior to the determination of the relocation of Marines, and Guam had no input on the size or speed of the buildup.

We have never been told who and what determined that the relocation would be for 8,652 Marines. Does that number represent a percentage of the current Marine footprint in Okinawa? Does it match with either administrative or combat unit structures? Why that number? How was the timeframe determined?

The whole DEIS is premised on 8,652 Marines, with 2,000 transients, coming to Guam. If we change that premise, the entire DEIS collapses like the house of cards it has turned out to be.

K-056-002

**RECOMMENDED SOLUTION:**

1. Stretch out the relocation. Have the Marines move over a period of eight years instead of only two years.
2. Reduce the size of the movement to Guam by fifty-percent, for about 4,000 active duty Marines. This would still provide a greater than 100 percent jump in footprint, but provide a greater welcome mat for our Marines.
3. Spread out the relocation of the Marines. Relocate the First Marine Aircraft Wing aviation command from Futenma, Okinawa Prefecture, to Tinian and Aguijan (Goat Island), CNMI. This command numbers about

**K-056-002**

Thank you for your comments. As described in Volume 1, Section 1.4.2.5, the CNMI was also reviewed as a potential location for the Marine Corps basing in response to comments received during public scoping. The following considerations were taken into account during that review. Direct access to a deep water port for Navy ships is crucial to logistics and operational support of the Marine Corps. The relocation would also require significant utilities infrastructure, an airfield with aviation maintenance support facilities, and access to medical and quality of life facilities.

Tinian possesses the most available DoD property for exclusive military use within the CNMI. It has been used for training and construction of a base would reduce existing training capabilities, requiring replication of these capabilities elsewhere in the region. Tinian also only has limited infrastructure to support basing and no deep water port. Therefore, Tinian remained a focal point for training but was eliminated as a basing site.

The suggestions to 1) relocate a portion of the relocating population to Futenma; 2) reduce the overall relocating population to Guam by 50%; and 3) extend relocation period do not meet the purpose and need of the proposed action to meet treaty and alliance requirements. The U.S. is to relocate the units in accordance with the existing international negotiations and agreements with the Government of Japan.

The DoD proposes adaptive management measures, as described in Volume 7, Chapter 2 to address your concern regarding potential impacts to resources during a compressed construction schedule. As contracts are awarded and construction begins, implementation of a construction monitoring plan is proposed. The plan would outline the monitoring methods, the tipping points for resources being monitored and a response plan.



Letter from Sen. Judith Guthertz  
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K-056-002

4,000. The Mayor of Tinian and Aguijan has already asked the U.S. military to consider these islands for the buildup. Aguijan is uninhabited and the federal government already has a long-term lease for the northern two-thirds of Tinian. This area was acquired by the U.S. as a future "fall-back" site for our bases further west in Asia. In 1975 a \$300 million joint use base was envisioned, administered by the Air Force, but was never constructed. Please see the attached news article, Marianas Variety Guam Edition, page 11, January 25, 2010. It can also be read at [www. http://www.mvariety.com/tinian-goat-island-offered-as-alternatives-to-guam.php](http://www.mvariety.com/tinian-goat-island-offered-as-alternatives-to-guam.php).

4. Relocate 4,000 of the 8,652 Marines originally intended to go to Guam from the current infantry bases in Okinawa to the vacated facilities at Futenma, thus thinning out the presence in the populated areas of Okinawa. At the same time, the people living in the Futenma area will appreciate the removal of the aircraft noise.

#### CONCLUSION:

This is my "stretch out and spread out" plan. Please receive it with open minds and modify it as necessary. The premise of this plan is to have a "win-win-win" situation for the U.S., Japan, and Guam.

K-056-003

In considering this plan and in any discussions concerning the buildup, the people of Guam must have a voice at the table. We were not consulted when the previous plan was developed and look what a fiasco has occurred! Guam must be able to look the various decision-makers in the eye and be able to ensure that the best interests of the people are considered and protected. Never again should the entire future of the 179,000 plus residents of Guam be put at risk by a failure to consult them on such serious matters.

Senseramente,

Judith P. Guthertz, DPA  
Senator

c: Barack Obama, President of the United States  
The Honorable Felix P. Camacho, Governor of Guam  
The Honorable Hillary R. Clinton, Secretary of State

#### K-056-003

Thank you for your comment. The DoD has kept the public informed as required by NEPA, which includes holding public scoping meetings and public hearings and allowing the public to comment on the DEIS. DoD has had ongoing discussions with Cooperating Agencies (those federal and local agencies with special expertise or regulatory oversight) throughout the preparation of the DEIS and will continue these discussions with agencies through the completion of the FEIS. As part of the engagement with Cooperating Agencies, they were asked to conduct an early technical review of the partially completed DEIS in late July 2009. The DoD has also met extensively with elected officials and other community stakeholders on the progress of the EIS and notional/preliminary relocation plans.



Letter from Sen. Judith Guthertz  
To Major General David Bice  
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The Honorable Robert Gates, Secretary of Defense  
The Honorable Ray Mabus, Secretary of the Navy  
The Honorable Michael B. Donley, Secretary of the Air Force  
The Honorable Madeleine Z. Bordallo, Guam Delegate to Congress  
The Honorable Gregorio Sablan, CNMI Delegate to Congress  
The Honorable Ken Salazar, Secretary of the Interior  
The Honorable Benigno R. Fitial, Governor of the Commonwealth of the Northern Mariana

Islands

The Honorable Ramon M. Dela Cruz, Mayor of Tinian and Aguijan, CNMI  
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All Senators, 30th Guam Legislature

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MVARIETY.COM CNMI NEWS LOCAL TINIAN, GOAT ISLAND OFFERED AS ALTERNATIVES TO GUAM

# Tinian, Goat Island offered as alternatives to Guam

THURSDAY, 21 JANUARY 2010 00:00 BY GEMMA Q. CASAS - REPORTER

**TINIAN** — Mayor Ramon M. Dela Cruz asked the U.S. military to consider Tinian and the nearby uninhabited Agulijan, or Goat Island, as alternative sites for the planned buildup in the Marianas in the wake of increasing opposition on Guam to the project.



The newly elected Republican mayor met last week with retired Maj. Gen. David Rice, the executive director of the Joint Guam Program Office, which is tasked to oversee the military buildup project on Guam and the Northern Marianas.

"We discussed a lot of things," the mayor said. "We know for a fact that they are getting a lot of opposition on Guam about the military buildup, so I jokingly I asked him, if there's so much opposition on Guam, we're willing to take the military on Tinian as fallback for Guam."

According to Dela Cruz, Rice laughed but said, "We'll consider it seriously."

The mayor added, "I also offered Goat Island as an alternative. They said they will take a look at it. They flew over it."

Goat Island is an uninhabited island of the CNMI located about 5 miles southwest of Tinian. It has a large number of feral goats, but it used to host a Japanese garrison during World War II.

Rice and other military officials went on Tinian for a public hearing on the draft Environmental Impact Statement, or EIS, regarding the military buildup in the Marianas.

Much of the anticipated projects will be constructed on Guam.

Tinian is expected to host military drills and exercises that cannot be accommodated on Guam.

Dela Cruz said Tinian has always been supportive of the U.S. military's presence.

"For a very long time, we were made to believe that Tinian could capitalize on a military economy. As you know, we released two-thirds of our island to the military," he added.

He admitted that the island's economy, like the CNMIs, "is not really good — I think we will keep on sinking."

He remains optimistic, however, that Tinian will soon have new hotels and casinos, especially if the military buildup is finally implemented.

## MORE LOCAL

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- Public Health creates team to implement healthcare corporation law
- Mayor's office assumes responsibility over roadkill
- Citing various violations, Labor bars employ of from living alien workers
- New appointments made
- Local group multi islandwide transport services
- Assault victim to sue DPW
- Church groups collect donations for Haiti
- Tinian DPW head charged with theft
- Suing Teds not good for NMI
- 5 more plead guilty to human smuggling
- Supporters pick Fahal
- Speaker, Harumoff recovered his pay
- China covers Saipan office
- Korean students 'really like' Saipan
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## WHO'S ONLINE

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## Comments

#4 Nomastababa 2010-01-22 09:40

That's a good idea. Tinian... a small airstrip and a hike/bike trail for day trips could easily be put in around the whole island. Only problem might be the lack of beaches. Everybody keeps talking about "eco tourism". Ain't ever going to...

Senator Judith Paulette Guthertz, DPA  
Assistant Majority Leader



*I Mina Trenta na Liheslaturan Guahan*  
Thirtieth Guam Legislature

CHAIRPERSON, COMMITTEE ON THE GUAM MILITARY BUILDUP AND HOMELAND SECURITY  
155 Hessler Place, Tlagaña, Guam 96910 • Phone: (671) 472-JUDI (6831) • Fax: (671) 472-3547 • judguthertz@psc.com.gu

February 12, 2010

Major General David Bice, USMC (Ret.)  
Executive Director  
Joint Guam Program Office (JGPO)  
PSC 455 Box 152, FPO AP 96540-1000

Re: **OFFICIAL COMMENT SUBMISSION ON THE DRAFT ENVIRONMENTAL  
IMPACT STATEMENT (DEIS)**

Dear General Bice:

Previously, I have submitted four official comment papers on the DEIS. They are:

- 1) January 21, 2010, on Land Issues in which I say "NO ACTION" for any use of public or private land outside the current military footprint and absolutely no Federal land condemnation in Guam for the buildup or other purposes and suggest a new alternative that locates all of the housing and firing ranges within the current footprint.
- 2) January 28, 2010, on Stretching and Spreading the relocation. This paper says "NO ACTION" on the proposed schedule for relocating the Marines and the proposed number, 8,600 permanent plus 2,000 transient Marines. A new alternative should be developed for moving 4,000 Marines to Guam over an eight year period. The size and speed of the current proposal is just too many and too fast for Guam's infrastructure and public services to adapt.
- 3) February 2, 2010, on creating a Social and Civil Infrastructure arrangement, which proposes to create a formal Civilian-Military Advisory Council (CMAC) as part of the Guam First commission patterned after the provision in the Technical Agreement in the Covenant of the Commonwealth of the Northern Mariana Islands. Additionally, this paper proposes an informal monthly "Leaders' Luncheon" to ensure that the relationship between the civilian and military communities is a healthy one. There is nothing in the DEIS on this matter.
- 4) February 8, 2010, on the nuclear aircraft carrier berthing issue. This paper says "NO ACTION" on the preferred location contained in the DEIS. The paper proposes a new alternative which protects the core interests of both the military and the civilian community. No coral would be destroyed under this alternative that would see the



Comment submission on DEIS from Sen. Judith Cuthertz  
 To Joint Guam Program Office  
 February 12, 2010  
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ammunition ships moved to deep water buoys in the outer harbor for the limited overlap times when an aircraft carrier is using Kilo Wharf.

- 5) Guam Legislature Resolution 258-30 against land condemnation is also an official "comment" on the DEIS. A copy is attached.

This wrap-up comment paper includes those four previous papers and three resolutions as my official "comment" and adds the following miscellaneous collection of comments on the DEIS.

K-057-001

- 1. Placement of new military facilities that the public will visit or use should NOT be deep inside the military installations. Rather, they should be located next to the perimeter fence line, with an outer fence and inner fence arrangement. This would permit easy access for the civilian community to the military schools for plays, special events, and access to athletic fields and so forth. When the civilians come to these facilities, the outer gates can be opened and the inner gates can be closed to continue security for the main cantonment while having open access to these facilities.

K-057-002

- 2. A preference should be given to Guam residents for civil service jobs in Guam.

K-057-003

- 3. The drinking age disparity between the Marines, the Air Force, and the Navy needs to be addressed and resolved prior to the buildup. Currently, the minimum age for Marines in Okinawa is 20, on or off base. The Air Force in Guam has 18 for the drinking age, while the Navy has 21. The drinking age in the civilian community is 18. Therefore, it is possible that many Marines will be renting houses or apartments off base in order to drink. Further, many Marines will be driving off-base to drink with the potential dangers of DUI and accidents occurring. Vol. 2, page 18-19 has a minimal discussion of this matter and has a list of four ways to reduce traffic incidents. However, this is totally inadequate. A dedicated telephone line needs to be established for anyone to call the joint patrols in the bar areas to report situations getting out of control.

K-057-004

- 4. The military has not provided any justification for the selection of the number (8,600 active duty Marines and 2,000 transient Marines). How were those numbers derived?

**K-057-001**

Thank you for your comment. Your mitigation recommendation has been taken under consideration. Expanded mitigation discussion is available in the FEIS.

**K-057-002**

Thank you for your comment. Your recommended mitigation measure has been taken under consideration. Expanded mitigation discussion is available in the FEIS.

**K-057-003**

Thank you for your comments. Impacts on crime and civilian/military jurisdictional issues and drinking ages have been highlighted as a public concern during the public comment period and additions to the analysis, as possible, have been made in the FEIS.

**K-057-004**

Thank you for your comment. The number of Marines is based on the particular units that are being relocated from Okinawa to Guam. Please see Volume 1, Chapter 2 of the EIS for more information.



K-057-005

5. How can the public comment on the location of the Army missiles when it is classified? Secretary of Defense Robert Gates, on February 4, 2010, pledged to Congress that the process would be transparent. We therefore need to know everything about the Army missile initiative so that informed comments can be made to fulfill the mandates of NEPA.

K-057-006

6. The DEIS frequently references "the 2009 Land Use Plan for northern and central Guam by the Bureau of Statistics and Plans." The DEIS should state that this plan has not been finalized nor has it been approved by the Guam Legislature. It is subject to change and it is not an official document without Legislative approval.

K-057-007

7. Public access along the beaches on the west coast, below the cliff line, below the main cantonment area must be maintained.

K-057-008

8. Vol. 2, Section 16-1.6.1 (page 16-31) is on Chamorro Issues and Interests. This section is absolutely inaccurate regarding Guam history. The section states: "Chamorros were first conquered by the Spanish soon after contact with Magellan's expedition. Most dies of disease within a hundred years after contact." Magellan arrived in 1521. Spanish ships visited the islands about once per year until 1668, trading iron for food and water. Spain claimed Guam in 1565, but no Spaniard stayed overnight on the land until 1668. The Spanish-Chamorro War lasted from 1672 until 1695. Chamorros were forced off of the other islands in the Marianas into five villages on Guam for control purposes. This created a situation for disease with the population decreasing from about 60,000 on first contact down to only 3,000 in 1700. These words should replace the inaccurate words.

K-057-009

9. Vol. 2, section 16.1.6.4 (page 16-36) has a major error for the paragraphs on the Chamorro Land Trust Commission and the Guam Ancestral Lands Commission. The two entities are reversed. The description under the CLIC applies for the GALC and vice versa. Also, there is no mention made of the land bank under the Guam Ancestral Lands Commission which is designed to hold the "Crown Lands" which are returned lands with no original land owners. These lands are to be developed with the proceeds going to those who lost land who will never get them back. This is the category of the Former FAA Housing Area and the Marbo area identified in the DEIS as being desired by the military.

### K-057-005

Thank you for your comment. The EIS presents a summary of the proposed weapons emplacement action, a figure showing general locations, and impact analysis conclusions for each resource area. This information was sufficient to allow the public and resource agencies to provide informed comments on the Draft EIS. We reviewed the classified Appendix L and verified that it must remain classified. However, a section has been added in the Final EIS explaining why Weapons Emplacement Alternative 4 was selected as the preferred alternative. Also, the full analysis was originally made available to regulatory agency reviewers for review as part of the Draft EIS process. Comments were received from one agency (the U.S. Fish and Wildlife Service) and were incorporated into Appendix L. The classified appendix is available to resource agency reviewers with the appropriate security clearance.

### K-057-006

Thank you for your comment. Volume 2, Section 8.1.1.2 of the Draft EIS states that the North and Central Land Use Plan has not been adopted by legislature but represents best available land recent use planning that included community input. No change was made to the Final EIS.

### K-057-007

Thank you for your comment. DoD understands and recognizes the significance of cultural and recreational sites located on DoD property in Guam. Restricting access to certain DoD areas at certain times is required to maintain public safety. It is the intent of DoD to maintain public access to DoD lands that contain cultural sites consistent with safety and operational requirements. Access will be granted at approved times such as when the lands are not being used for military training. Final plans concerning access to sites potentially impacted by the proposed action have not been developed. DoD looks forward to working with stakeholders to develop plans for cultural stewardship and



Comment submission on DEIS from Sen. Judith Guthertz.  
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**K-057-010**

10. Vol. 2, Section 16.1.6.4 (page 16-36) has an inaccurate definition of the term "native Chamorro." It claims that a "native Chamorro" is "defined as anyone descended from people residing on Guam from the period between 1898 and prior to the 1950 Organic Act." This is not so. The law specifies that a "native Chamorro" is anyone who became a U.S. citizen by virtue of the 1950 Organic Act or descendent thereof. There is a significant difference which is very important.

11. Vol. 2, Section 16 is very deficient in discussing Chamorro interests and issues. Section 16.1.6 on Sociocultural Issues is only six pages long with two of those six being devoted to a discussion of the situation on Okinawa. This treatment of perhaps the most important environmental impact of the buildup needs a very thorough and complete study. It needs a complete "rewrite and resubmit." Possible mitigation items to bring environmental justice on these matters are presented below.

**K-057-011**

12. Vol. 2, Section 16.1.6, page 16-32, states, "The Navy's administration of Gum was disrupted during WWII, when in 1941, following the invasion of Pearl Harbor, Japanese military forces bombed Guam." Does the writer have any feel for American history? The statement should read that the Japanese military forces invaded Guam after they bombed Pearl Harbor. Every American should know that the Japanese did not invade Pearl Harbor.

**K-057-012**

13. Vol. 2, Section 16.1.6.5, page 16-37, references various community surveys about the buildup. The most recent survey mentioned is a "Guam Chamber of Commerce survey in early 2009 which again found about a 70% favorable response, with slightly higher support among less affluent households." Every astute observer in Guam will state that public support for the buildup has shifted in the negative direction very rapidly since November of 2009 when the DEIS was released. A new survey needs to be conducted by a professional, objective entity. The Guam Chamber of Commerce is not objective on the buildup.

**K-057-013**

14. The Army has just announced it is thinking of basing up to 12 Joint High Speed Vessels (JHSV) in Guam. These ships will be able to attain speeds up to 45 mph and carry about 300 troops per ship. This needs to be incorporated within the EIS. The following questions jump to the mind about these vessels being located in Guam.

- When would this addition of these forces occur?

access that balances operational needs, public safety concerns, and the continuing public use and enjoyment of these sites.

**K-057-008**

Thank you for your comments. The information provided has been checked against various references; edits as appropriate have been made in the FEIS.

**K-057-009**

Thank you for your comment. Edits were made accordingly in the FEIS.

**K-057-010**

Thank you for your comment. Your suggested changes have been taken under consideration and edits made as appropriate to the FEIS.

The SIAS and the DEIS are documents that have identified the probable impacts of the proposed action and alternatives based on the best available information. Existing data and information was gathered and supplemented with interviews with federal and Guam agencies. To provide the public and various governmental agencies with an opportunity to review and comment on the methodologies and assumptions used, the SIAS was included as Appendix F, Volume 9 of the DEIS. Comments provided on the DEIS will also be included to provide the decision-makers with the public views in support and/or opposition of the proposed action and alternatives.

**K-057-011**

Thank you for your comment. Edits have been made, as appropriate, in the FEIS.

**K-057-012**

Thank you for your comment. Public comments on the Draft EIS are an



K-057-013

- Where would they be sited?
- How many personnel and dependents are involved?
- Where will the dependents be housed?
- What is their operational range? Can they reach Okinawa?
- What is their operational concept for being based in Guam?
- Under which command would they fall?
- Why isn't this project included within the Joint Military Program Office?
- Why wasn't this project included within the Draft Environmental Impact Statement (DEIS) that we are reviewing now?
- Has the Army coordinated this project with the other services?
- What is the economic impact anticipated by this move?

K-057-014

15. Regarding Volume 2, Table 2.3-7, what are the feasibility and sustainability criteria used in considering the sites for live firing ranges? What were the factors considered in evaluating these criteria?
16. Regarding Surface Danger Zones (SDZ), how is it determined and what are the criteria and factors involved in determining the size of the SDZ?
17. The southern border for Alternative A for the firing range in Marbo area is not precisely located. The exact position is critical since a private driveway and two private houses appear to be located on that borderline. Are they within or without the area of Alternative A?

K-057-015

18. Other recommendations to establish goodwill and trust of the people of Guam for the buildup and mitigate the social-cultural impacts are:
  - The Federal Government subsidize public primary and secondary education on Guam to fill the gap between the per student funding provided by the Government of Guam and the national average per student funding, based on the Government of Guam spending at least \$200,000,000.00 on public primary and secondary education each year.
  - The Federal Government forgive all debts owed to the Federal Government by the Government of Guam as of September 30, 2014.
  - The Federal Government establish a public regional medical center for the Guam region that can accommodate all those who cannot afford medical insurance and the increased demand from veterans and Compact Impact residents.

important part of the decision-making process. This information becomes part of the Final EIS and is evaluated when DoD prepares the Final EIS and issues a Record of Decision at the end of the National Environmental Policy Act (NEPA) process.

#### K-057-013

Thank you for your comment. This project is not addressed in Volume 5 of the EIS as it is not related to the proposed Army AMDTF action. Information on the high-speed vesseles project has been summarized in Volume 7 and addressed in the cumulative impact analysis.

#### K-057-014

Thank you for your comment. Firing range locations were selected based on the requirement of have sufficient size to support ranges that meet Marine Corps and Department of the Navy design criteria and support Marine Corps training requirements. Included in the size requirement are associated Surface Danger Zones that are designed to ensure public safety. Surface Danger Zones criteria is outlined in Army Regulation 385-63 and is followed by both the Army and Marine Corps. The preferred alternative does not directly effect any private property. The access to private property across easements on existing Gov Guam property will be affected and will require rerouting of the access.

#### K-057-015

Thank you for your comment. DoD recognizes the importance of reducing adverse effects on the people of Guam, its natural resources, and infrastructure. The EIS process identifies ways to implement the proposed relocation while minimizing adverse impacts. DoD will continue to ensure that the short-term impacts of construction are managed effectively and that the long-term effects of the military relocation reflect DoD policies to be good neighbors and responsible citizens on Guam.



K-057-015

- The Federal Government address those long standing issues as identified in Guam Legislative Resolution 275-30.
- The Federal Government open negotiations with those former land owners of lands condemned by the federal government post World War II who were not included in the class-action settlement of the mid-1980's. These include the large land owners who used to own the land that now constitutes NCTS and Andersen AFB.
- The Federal Government establish a vocational training school, as part of the Guam Community College that will train at no cost local residents to obtain jobs associated with the buildup. The graduates will be obligated to work on jobs associated with the buildup on a one-to-one time basis for the training received.
- The Federal Government shall include the University of Guam and Guam Community College, which are fully accredited by the Western Association of Schools and Colleges, as institutions which shall have the right to offer academic certificate, and continuing education programs on all base facilities – old and new – for military and federal personnel and their dependents. That shall be treated equally as are U.S. – based colleges and universities.
- The Federal Government build a museum and depository of artifacts for the people of Guam.
- The Federal Government build a convention and cultural center for the people of Guam.
- Greater participation for Guam in Federal and other public transportation programs.
- Assistance with economic development initiatives.
- Necessary federal funding required to meet the capital infrastructure obligations imposed on Guam as a result of the buildup, to include but not be limited to utilities, educational facilities and healthcare facilities. Specific programs include:
  - (a) Increased power infrastructure: \$666 million.
  - (b) Roadway improvements: \$1.547 billion.
  - (c) Education: \$206 million. (new schools)
  - (d) Port expansion: \$195 million.
  - (e) Water infrastructure: \$192 million
  - (f) Public health: \$135 million.

K-057-016

Thank you for your comment.



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K-057-015

TOTAL MULTIYEAR ESTIMATE: \$2,941 billion,  
This is per the U.S. Government Accountability Office  
September 2009 Report.

ADD TO THIS:

\$300 million for Second state waste-water treatment facility as required by U.S. EPA.

ADD TO THIS:

\$400 million for placing power poles underground to decrease road hazards for  
DUIs and increase of civilian vehicles from current 105,000 to 138,000.

ADD TO THIS:

\$400 million for a north-south highway to relieve excessive congestion on Guam's  
only main route, Marine Corps Drive.

ADD TO THIS:

\$2 billion for a 20 mile mono-rail public transportation system from Andersen AFB  
to Navy Base. This is the amount that the State of Hawaii is receiving from the  
Federal Government for the same capability. If Hawaii can get it, Guam should get  
it also.

GRAND TOTAL OF MANDATE: \$5,641 Billion.

An OMNIBUS appropriations bill would be the most efficient means for the civilian  
community of Guam's infrastructure needs. Piece-meal legislation that parcels out  
small appropriations over a long period of time will not answer the needs that will  
appear almost immediately. It is also not just or sufficient to require Guam to compete  
with the 50 states and the other four territories for grants and loans to obtain the  
necessary funding. The Guam buildup is a FEDERAL UNFUNDED MANDATE.  
GUAM CANNOT FUND IT. THEREFORE, THE FEDERAL GOVERNMENT MUST  
FUND THIS MANDATE.

K-057-016

19. The Technical Agreement to the Covenant of the Commonwealth of the  
Northern Mariana Islands contains a PART III. SOCIAL AND CIVIL  
INFRASTRUCTURE ARRANGEMENTS. The same provisions provided for  
the Commonwealth need to be awarded to Guam in concurrence with the  
policy for Guam set forth in the National Security Decision Memorandum of  
February 1, 1975, approved by President Ford, which states:

[From NSC/USC Guam Study]:

- a. Retains U.S. Sovereignty over Guam;
- b. Helps promote the material well-being of Guamanians;



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K-057-016

- c. Enhances prospects for the ultimate integration of Guam with the Northern Marianas;
- d. Provides an agreement with Guamanians on a commonwealth arrangement no less favorable than that concluded with the Northern Marianas;
- e. Provides the justification for discontinuing annual reports to the United Nations on U.S. administration of Guam."

These provisions in the CNMI Covenant Technical Agreement which should be provided to Guam include:

- a. Part III section 2. "Fishing and Shoreline Activities, Tinian. All shoreline areas in and around the northern two-thirds of Tinian [the part leased to the federal government] will remain open to fishermen at all possible times except for those limited areas that must be closed to comply with safety, security and hazardous risk requirements as may develop from either military activities or commercial activities."
- b. The same document has the following as sub-paragraph 3: "Beaches, Tinian. Mariana citizens will have the same access to beach areas in the military areas of Tinian for recreational purposes as military personnel and their dependents. During times of military maneuvers, operations or related activity the use of certain beaches or areas of the beach will be restricted. Closure for such purposes, however, will be kept to a minimum consistent with military requirements in the interest of safety and security. Conduct of all personnel within the beach areas and use of these areas will be subject to applicable military regulations."
- c. The same document has the following as sub-paragraph 10: "Assistance to the Community. The United States Government will consider sympathetically all bona fide requests from the community or its residents for materials or technical assistance, from resources on the base, in the event local resources are insufficient to meet the community needs."
- d. The same document has the following as sub-paragraph 11: "Economic Opportunity. To the extent practicable appropriate United States military and civilian authorities or contractors executing United States Government contracts will attempt to utilize the resources and services of people of the Northern Mariana Islands in construction, development, supply and maintenance activities in the Marianas. Further, United States military and



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civilian authorities will, whenever practicable, provide technical and training assistance to the people of the Northern Mariana Islands in accordance with applicable United States law to assist in their achievement of necessary skills."

K-057-017

SUMMARY:

It has become obvious that the proposed buildup is too big for Guam. The local governmental services and infrastructure are not up to the challenge. This paper has identified about five billion dollars of items needed by the local government to meet the needs that will be generated by the buildup. Only minimal assistance has been forthcoming from the Federal Government.

The Federal Government has not responded to the degree necessary. Guam is merely asked to apply for existing grants and loans, competing with the fifty states and other territories for the needed funding. Guam has reached its public funding ceiling. Its ability to obtain funds by taxation is already maximized. Its anticipated income for FY2011 is \$500 million. That amount is insufficient to fund fully existing needs, much less fund needs associated with the buildup.

Guam is unable to fully take care of the civilian community needs generated by this buildup. The Federal Government cannot place such a huge unfunded mandate upon the 178,000 Americans in Guam.

The entire DEIS is premised on Guam being able to support 8,600 active duty Marines, 2,000 transient Marines, and 9,000 dependents. This is just too large a bite to take at one time. The Defense Department used to have a policy of not having any increase in its footprint in Guam jump more than ten percent at any one time. This buildup proposal is a 321 percent jump. It is impossible to stuff fifty pounds of rice in a ten pound bag.

The EIS must recognize this fact and reflect a smaller number of Marines and a longer period of time for any buildup.

I have maintained the same position since the very beginning back during the scoping meetings in 2007. That position is that the Guam military buildup must be a "win-win" situation, bringing a better quality of life for the civilian community while meeting the core needs of the military. My committee's motto has been: "If it is not win-win, we both lose."

K-057-017

Thank you for your comment. Your mitigation recommendation has been taken under consideration. Please see Volume 7 for expanded discussion of adaptive management within the program.



Comment submission on DEIS from Sen. Judith Cuthertz  
To Joint Guam Program Office  
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Since that time, we have faced several instances of being kept in the dark by the military, by being ignored by the military, and by the military dealing with some agencies of our local government on a "non-disclosure" basis. This is all contrary to the Secretary of Defense's statement of this month before Congress that this buildup will be transparent. It has not been transparent. A lot of good will has been lost. This has placed our citizens in a very difficult and awkward position. They are very patriotic and love our Marines. They are very hospitable.

In fact, this trait of the Chamorros has led them to be taken advantage of ever since the first European set foot on the beach. Yet, at the same time, they do not want to be taken advantage of any more. They do not want to see their island covered by concrete. They do not want to be marginalized. They do not want to lose their culture. They do not want to be taken for granted. They have maintained their identity in the face of devastating outside pressures for more than four thousand years. They do not want the Chamorro culture to disappear after existing for that long on the face of our earth.

*Sincerely,*

Judith P. Cuthertz, DPA  
Senator

cc: Barack Obama, President of the United States  
The Honorable Felix P. Camacho, Governor of Guam  
The Honorable Hillary R. Clinton, Secretary of State  
The Honorable Robert Gates, Secretary of Defense  
The Honorable Ray Mabus, Secretary of the Navy  
The Honorable Michael B. Donley, Secretary of the Air Force  
The Honorable Madeleine Z. Bordallo, Guam Delegate to Congress  
The Honorable Gregorio Sablan, CNMI Delegate to Congress  
The Honorable Ron Salazar, Secretary of the Interior  
The Honorable Benigno R. Fitial, Governor of the Commonwealth of the Northern Mariana Islands  
The Honorable Roger Natsuhara, Assistant Secretary of the Navy for Installations and Environment  
The Honorable Anthony Babauta, Assistant Secretary of the Interior for Insular Affairs  
Rear Admiral Douglass Biesel, U.S.N., Commander, Joint Region Marianas  
Brigadier General Philip Ruhlman, U.S.A.F., Deputy Commander, Joint Region Marianas  
All Senators, 30th Guam Legislature



***I Mina' Trenta Na Libeslaturan Guåhan***  
**The Thirtieth Guam Legislature**

155 HESLER PLACE, HAGÅTÑA, GUAM 96910 • www.guamlegislature.com  
 VINCENT P. ARRIOLA, EXECUTIVE DIRECTOR • PHONE: (671)472-3545 • FAX: (671)472-3547

**Speaker**  
**Judith T. Won Pat, Ed.D**

February 16, 2010

**Vice-Speaker**  
**Benjamin J.F. Cruz**

JGPO  
 c/o NAVFAC Pacific  
 258 Makalapa Drive Suite 100  
 Pearl Harbor, HI 96860-3134

**Senator**  
**Tina Rose Muña Barnes**  
 LEGISLATIVE SECRETARY

**Senator**  
**Rory J. Respicio**  
 MAJORITY LEADER

Attention: GPMO

**OFFICIAL STATEMENT BY THE LEGISLATURE OF GUAM**

**Senator**  
**Judith P. Guthertz, DPA**  
 ASST. MAJORITY LEADER

Dear Sir or Madame:

**Senator**  
**Thomas C. Ada**  
 MAJORITY WHIP

Attached for your information and public comment files relative to the Draft Environmental Impact Statement /Overseas Environmental Impact Statement on the GUAM AND CNMI MILITARY RELOCATION (DEIS), please find Substitute Resolution No. R275-30 (LS), duly and regularly adopted, unanimously, by *I Mina' Trenta na Libeslaturan Guåhan*, the Thirtieth Guam Legislature, on February 11, 2010.

**Senator**  
**Matt Rector**  
 ASST. MAJORITY WHIP

Substitute Resolution No. R275-30 (LS) - "Relative to presenting to President Barack Obama and the Congress of the United States, the sentiments expressed by the people of Guam relative to the Draft Environmental Impact Statement (DEIS) for the Guam Military Buildup; to enumerating the findings of *I Libeslatura* that have led to the conclusion that the DEIS is grossly flawed; to providing a list of essential elements which must be favorably resolved; to restate Guam's 'Agenda of Priority Concerns' relative to Federal-territorial issues that must be addressed concurrently with the buildup; and to asserting additional findings on actionable items relative to the DEIS," shall serve as the official statement by Guam's Legislative branch of government concerning the DEIS.

**Senator**  
**Frank B. Aguon, Jr.**

**Senator**  
**Adolpho B. Palacios, Sr.**

**Senator**  
**Vicente C. Pangelinan**

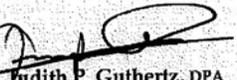
**Senator**  
**Edward J.B. Calvo**  
 MINORITY LEADER

*Senseramente,*

**Senator**  
**Ray Tenorio**  
 ASST. MINORITY LEADER

  
**Judith T. Won Pat, Ed.D**  
 SPEAKER  
 and Chair, Committee on  
 Education

  
**Rory J. Respicio**  
 MAJORITY LEADER  
 and Chair, Committee  
 on Federal, Foreign &  
 Micronesia Affairs

  
**Judith P. Guthertz, DPA**  
 ASST. MAJORITY LEADER  
 and Chair, Committee on  
 the Guam Military Buildup  
 and Homeland Security

**Senator**  
**James V. Espaldon**  
 MINORITY WHIP

**Senator**  
**Telo T. Taitague**  
 ASST. MINORITY WHIP

**Senator**  
**Frank F. Blas**

Attachment (1): Resolution No. R275-30 (LS): 87 pages including exhibits, transmittal letter to the Governor of Guam, and voting sheet



***I Mina' Trenta Na Liheslaturan Guåhan***  
**The Thirtieth Guam Legislature**

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**Speaker**  
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**Vice-Speaker**  
 Benjamin J.F. Cruz

**Senator**  
 Tina Rose Muña Barnes  
 LEGISLATIVE SECRETARY

**Senator**  
 Rory J. Respicio  
 MAJORITY LEADER

**Senator**  
 Judith P. Guthertz, DPA  
 ASST. MAJORITY LEADER

**Senator**  
 Thomas C. Ada  
 MAJORITY WHIP

**Senator**  
 Frank B. Aguon, Jr.

**Senator**  
 Adolpho B. Palacios, Sr.

**Senator**  
 Vicente C. Pangelinan

**Senator**  
 Edward J.B. Calvo  
 MINORITY LEADER

**Senator**  
 Ray Tenorio  
 ASST. MINORITY LEADER

**Senator**  
 James V. Espaldon  
 MINORITY WHIP

**Senator**  
 Telo T. Taitague  
 ASST. MINORITY WHIP

**Senator**  
 Frank F. Blas

February 12, 2010

The Honorable Felix P. Camacho  
*I Maga'låhen Guåhan*  
 Ricardo J. Bordallo Governor's Complex  
 Adelup, Guam 96910

**RE: Substitute Resolution No. 275-30 (LS)**

*Hafa Adai* Governor Camacho:

Transmitted herewith is Substitute Resolution No. 275-30(LS) - "Relative to presenting to President Barack Obama and the Congress of the United States, the sentiments expressed by the people of Guam relative to the Draft Environmental Impact Statement (DEIS) for the Guam Military Buildup; to enumerating the findings of *I Liheslatura* that have led to the conclusion that the DEIS is grossly flawed; to providing a list of essential elements which must be favorably resolved; to restate Guam's "Agenda of Priority Concerns" relative to Federal-territorial issues that must be addressed concurrently with the buildup; and to asserting additional findings on actionable items relative to the DEIS", which was duly and regularly adopted by *I Mina' Trenta na Liheslaturan Guåhan* on February 11, 2010.

*Senseseremente,*  
  
 TINA ROSE MUÑA BARNES  
 Legislative Secretary

Enclosure

**RECEIPT ACKNOWLEDGMENT**  
 By *[Signature]*  
 (*[Signature]*)  
*[Signature]*  
 (*[Signature]*)  
 Gov's Office  
 (*[Signature]*)  
 Date: 2/12/10 Time: 1708 hrs

**I MINA TRENTA NA LIHESLATURAN GUÅHAN  
2010 (SECOND) REGULAR SESSION**

**Resolution No. 275-30 (LS)**

As substituted by the author,  
and amended on the Floor.

Introduced by:

R. J. Respicio  
Judith P. Guthertz, DPA  
Judith T. Won Pat, Ed.D.  
Adolpho B. Palacios, Sr.  
Telo Taitague  
T. R. Muña Barnes  
v. c. pangelinan  
T. C. Ada  
F. B. Aguon, Jr.  
B. J.F. Cruz  
E. J.B. Calvo  
J. V. Espaldon  
F. F. Blas, Jr.  
Ray Tenorio

**RELATIVE TO PRESENTING TO PRESIDENT  
BARACK OBAMA AND THE CONGRESS OF THE  
UNITED STATES, THE SENTIMENTS EXPRESSED BY  
THE PEOPLE OF GUAM RELATIVE TO THE DRAFT  
ENVIRONMENTAL IMPACT STATEMENT (DEIS)  
FOR THE GUAM MILITARY BUILDUP; TO  
ENUMERATING THE FINDINGS OF I LIHESLATURA  
THAT HAVE LED TO THE CONCLUSION THAT THE  
DEIS IS GROSSLY FLAWED; TO PROVIDING A LIST**

OF ESSENTIAL ELEMENTS WHICH MUST BE FAVORABLY RESOLVED; TO RESTATE GUAM'S AGENDA OF PRIORITY CONCERNS RELATIVE TO FEDERAL-TERRITORIAL ISSUES THAT MUST BE ADDRESSED CONCURRENTLY WITH THE BUILDUP; AND TO ASSERTING ADDITIONAL FINDINGS ON ACTIONABLE ITEMS RELATIVE TO THE DEIS.

1 BE IT RESOLVED BY I MINA'TRENTA NA LIHESLATURAN  
2 GUAHAN, ON BEHALF OF THE PEOPLE OF GUAM:

3 WHEREAS, on November 20, 2009, the United States Department of  
4 Defense (DoD) released the "Draft Environmental Impact  
5 Statement/Overseas Environmental Impact Statement on the Guam and  
6 CNMI Military Relocation," hereinafter referred to as the "DEIS;" and

7 WHEREAS, according to the Executive Summary of the DEIS, "As a  
8 result of reviews of the United States defense posture in the Pacific region  
9 and the U.S. alliance with Japan, a portion of U.S. Marine Corps forces  
10 currently located in Okinawa, Japan would be relocated to Guam. This  
11 relocation is proposed to occur during the same timeframe as a proposed  
12 wharf construction in Guam's Apra Harbor to support U.S. Navy transiting  
13 nuclear aircraft carriers. A U.S. Army Air and Missile Defense Task Force  
14 (AMDTF) is also proposed for Guam to protect against the threat of harm  
15 from ballistic missile attacks"; and

K-058-001

1 WHEREAS, *I Liheslaturan Guåhan* finds that while the most massive  
2 peacetime military buildup in American history is planned to take place in  
3 one of America's smallest communities, such a drastic imposition of  
4 military might must be coupled with a moral obligation to provide a  
5 deeper, and more sincere consideration of Guam's civilian community. *I*  
6 *Liheslaturan Guåhan*, the voice of one of the nation's most patriotic  
7 communities, willingly shares in the commitment to forge security for our  
8 nation and the world, but strongly maintains that the protection of our  
9 country cannot come at the expense of the destruction of Guam's people:  
10 our culture, our environment and our way of living; and

K-058-002

11 WHEREAS, *I Liheslaturan Guåhan* deems that the conduct of the  
12 Department of Defense in presenting the DEIS to our community for  
13 review, is grossly flawed in that DoD failed to:

- 14 (a) provide necessary accommodations during the document  
15 review period for access of persons with disabilities;
- 16 (b) account for the fact that this review period was scheduled  
17 to take place during the most culturally and religiously sensitive time  
18 of year for the people of Guam, encompassing five (5) holidays,  
19 including Thanksgiving, Christmas, New Year's Day and Martin  
20 Luther King Day, in addition to a significant religious local holiday  
21 honoring Our Lady of Camarin, thereby limiting the amount of time  
22 to review the DEIS;
- 23 (c) reasonably provide three (3) separate and distinct DEIS

**K-058-001**

Thank you for your comment. DoD recognizes the importance of managing efforts in implementing the proposed military relocation to reduce adverse effects on the people of Guam, its natural resources and infrastructure. The Final EIS process identifies ways to implement the proposed relocation while minimizing adverse impacts. DoD will continue to ensure that the short term impacts of construction are managed effectively and that the long term effects of the military relocation reflect DoD policies to be good neighbors and responsible citizens on Guam.

Through the process of public involvement that has accompanied this proposed action, the Chamorro people of Guam have voiced clearly and concisely their concern that the traditional Chamorro culture, including dance, language and traditions, will be forgotten. While population increases can highlight cultural differences, they also present unique opportunities for cultural learning and sharing. As noted in the Final EIS, the DoD plans for cultural sensitivity orientation and awareness programs will focus on mutual respect and tolerance and strive to educate all incoming and currently present military personnel on the rich and varied cultural history that has created the culture that is Guam today. Finally, the DoD plans to increase military civilian joint activities in order to foster strong and mutually beneficial military civilian relationships that include the sharing and understanding of culture.

**K-058-002**

Thank you for your comment. The DoD carefully considered all requests to extend the length of the comment period beyond the 45-day minimum required by NEPA. In evaluating multiple options, DoD leadership determined that a 90-day comment period best balanced the need for sufficient time to review a complex document with the requirement to reach a timely decision regarding the proposed military buildup on Guam.

K-058-002

1 elements, to logically correspond to each of DoD's proposed actions;

2 (d) address the indirect impacts of the buildup; and

3 (e) allow a reasonable period of time for review of the  
4 equivalent of three (3) separate and distinct DoD actions, but instead  
5 provided a mere ninety (90) days to review the document consisting  
6 of more than eleven thousand (11,000) pages of information relative  
7 to this drastic undertaking. It is the consensus among our people and  
8 our leaders that such an unrealistic and inadequate review period is  
9 grossly insufficient to thoroughly review the document, analyze its  
10 impacts and present comments and viable alternatives to the  
11 proposals presented. *I Liheslaturan Guåhan* finds that the review  
12 period should be extended to give our island community time to  
13 assist in the development of an equitably beneficial buildup strategy;  
14 and

15 **WHEREAS**, these flaws warrant both executive and congressional  
16 intervention mandating that DoD provide the people of Guam with a  
17 revised DEIS, providing for a reasonable time period to review and  
18 respond to the revised DEIS; responses to which, DoD must address before  
19 a Final EIS is released; and

20 **WHEREAS**, notwithstanding the aforementioned concerns, the  
21 people of Guam still made a good faith effort to provide their input on the  
22 DEIS during various public meetings/hearings conducted in areas  
23 throughout the island: four (4) by the Joint Guam Program Office (JGPO);

Regarding accommodations for persons with disabilities, the public hearings were held in facilities that are ADA compliant. Also, while the DEIS is not available in Braille, a synopsis of the proposed action and its impacts is available as an audio file on the project website: [www.guambuildupeis.us](http://www.guambuildupeis.us). One of the intents of the public hearings was to make project information readily available to those people in the community who were not able to access the DEIS online or in one of the many locations on Guam where a hardcopy is available.

K-058-002

1 two (2) by *I Maga'lahaen Guåhan* (the Governor of Guam), Felix P. Camacho;  
2 six (6) by *I Liheslaturan Guåhan* (the Guam Legislature); and five (5) by  
3 Guam's Congressional Delegate, Madeleine Z. Bordallo; and

K-058-003

4 **WHEREAS**, at these meetings/hearings, the vast majority of the  
5 hundreds of Guam residents who provided oral and/or written testimony  
6 were vehemently against the overall buildup; and more specifically,  
7 expressed overwhelming opposition to the following:

8 **(a) land condemnation**, asserting that further forced takings  
9 of private and public land will affect present and future organic  
10 growth of Guam's population and economy, and that the federal  
11 government already possesses sufficient land resources to conduct  
12 the buildup within their existing footprint, which comprises nearly  
13 thirty percent (30%) of Guam's two hundred twelve (212) square  
14 miles. This "no condemnation" position was originally presented to  
15 the people of Guam by JGPO;

16 **(b) destruction of culturally/historically significant sites**  
17 and other archeological areas;

18 **(c) prohibition/restriction of civilian access** to  
19 culturally/historically significant sites and other archeological and  
20 recreational areas;

21 **(d) destruction of marine ecosystems** by the dredging of  
22 thirty-nine (39) acres of living coral in Apra Harbor, where there  
23 exists over one hundred (100) species of coral, a tremendous amount

K-058-003

Thank you for your comment.

1 when compared to the fifty-five (55) species found throughout the  
2 thousands of square miles comprising the entire Caribbean area;

3 **(e) spread of existing radioactive contamination** by  
4 dredging Apra Harbor, where there exists a record of radioactive  
5 leaks and where the wash-down of Navy vessels used during nuclear  
6 testing in the Marshalls took place, thereby releasing radioactive  
7 contaminants into our ocean. DoD's intent to dredge the harbor and  
8 to subsequently dump the dredged material and disperse potentially  
9 radioactive materials into areas where marine life could be affected is  
10 strongly opposed;

11 **(f) adverse impacts to our environment**, including actions  
12 that could cause the extinction of endangered species, the destruction  
13 of ecosystems, and the depletion of terrestrial biological resources;

14 **(g) further strains on our resources** that will be caused by  
15 the massive population increase resulting from the buildup process,  
16 leading to congested highways, overcrowded schools, overburdened  
17 utility infrastructure, and increased public safety concerns, all of  
18 which will have a detrimental effect on the quality of life of the  
19 people of Guam; and

20 **(h) lack of commitment of mitigation funds** from the federal  
21 government and the DoD for:

22 **(1) capital improvement** for integrated power systems,  
23 water and wastewater treatment plants, and new sources of

1 potable water to meet increased service demands resulting from  
2 the massive population explosion that will be caused by the  
3 buildup;

4 (2) **social infrastructure** for additional medical  
5 facilities, health care services, mental health care services,  
6 educational facilities, and recreational/community facilities to  
7 meet the significant increases in service demands resulting from  
8 the massive population explosion that will be caused by the  
9 buildup;

10 (3) **human resource development**, including, but *not*  
11 limited to, medical professionals; educators and educational  
12 support staff; law enforcement and emergency management  
13 personnel; regulatory inspection and enforcement positions;  
14 community and social service professionals; construction  
15 tradespersons; and business professionals; and

16 (4) **combating invasive species**, the inevitable increase  
17 of which will result from the massive influx of passengers and  
18 cargo due to the buildup; these funds would be provided to the  
19 Interagency Biosecurity Task Force for this purpose; and

20 **WHEREAS**, notwithstanding the aforementioned concerns, *I*  
21 *Liheslaturan Guåhan* joins members of Guam's community in their efforts to  
22 respond to the DEIS, and presents the following issues as essential  
23 elements of compliance that warrant favorable resolution:

K-058-004

1 (a) **Land** - the buildup *shall* be limited to the existing  
2 footprint of federal land holdings. *No* forced land acquisitions will be  
3 permitted; and should there be an unavoidable need to acquire more  
4 land, such acquisitions *shall only* be achieved through mutually  
5 beneficial negotiations with the landowner; eminent  
6 domain/condemnation *shall not* be used to effect such acquisition. As  
7 previously stated, this "no condemnation" position was originally  
8 presented to the people of Guam by JGPO. To remain within their  
9 footprint, the DoD should:

10 (1) pursue joint usage of existing military facilities for  
11 operations and training;

12 (2) maximize the use of vertical regimes for military  
13 facilities and housing in *Finegayan* and elsewhere; and

14 (3) place the Marine aviation component at Andersen  
15 Air Force Base, which would decrease the impact of the  
16 Marine relocation to *Finegayan*;

K-058-005

17 (b) **Dredging** - any dredging of live coral or radioactive  
18 material within the Apra Harbor reservation *shall* be prohibited;

K-058-006

19 (c) **Physical & Mental Healthcare** - to minimize and mitigate  
20 against any adverse impact on the community's healthcare  
21 capabilities, the physical and mental healthcare treatment for all H2B  
22 laborers and other workers brought to Guam from off-island on  
23 military contracts associated with the military buildup *shall* take

#### K-058-004

Thank you for your comment. DoD was required to determine whether military relocation requirements could be met by excess, underutilized or otherwise available property held by DoD on Guam. Early development plans attempted to keep all activities on existing DoD lands. However, as discussed in the FEIS (Volume 2, Chapter 2), after applying operational and environmental screening criteria, no contiguous DoD area on Guam was identified that could support all the land use and operational requirements of the action.

Should DoD determine that additional land is necessary to meet its requirements, DoD policy requires that it negotiate with affected public and private land owners in good faith, seek agreements to acquire desired lands interests and pay fair market value. Where circumstances exist that require resolution of issues such as ownership or value, procedures exist under eminent domain authority to resolve those questions. Eminent domain requires reimbursement at fair market value.

#### K-058-005

Thank you for your comment. Dredging in Apra Harbor is needed to support safe accommodations for visiting Navy ships including aircraft carriers; should the proposed military relocation program be implemented. The EIS process has included efforts to minimize impacts from dredging and evaluate alternatives to the proposed actions. Mitigation and compensation have been studied and are proposed. Details of the information are included in Volumes 2 and 4 of this EIS.

#### K-058-006

Thank you for your comment. Volume 1 of the FEIS has been updated with discussion of workforce housing indirect impacts that would occur outside DoD lands.

K-058-006

1 place at Naval Hospital, and/or in clinics located on military  
2 installations, and/or through previously contracted healthcare  
3 arrangements;

4 (d) **Sociocultural Impacts of the Buildup** – The current  
5 findings presented in the DEIS Volume 7: Potential Mitigation,  
6 Preferred Alternative Impacts, and Cumulative Impacts, as they  
7 relate to sociocultural impacts of the buildup, run contrary to the  
8 obligations of the United States as the administering authority over  
9 Guam as a non-self-governing territory, pursuant to international law  
10 of which the U.S. is a signatory party. Volume 7, page 3-55 states:  
11 “The political importance of some Chamorro issues would likely  
12 recede as the “militarization” of Guam is stabilized at something  
13 close to present levels.”

14 Volume 7 goes on to recognize, on page 3-64, that “an  
15 expansion in non-Chamorro voting population could eventually  
16 affect the proportion of Chamorro office-holders and government  
17 workers; thereby affecting the current government budgets and  
18 activities dedicated to cultural issues and practices. It could also  
19 affect outcomes of any future plebiscites about Guam’s political  
20 status.”

K-058-007

21 *I Liheslatura* asserts that the “outcomes of any future plebiscites  
22 about Guam’s political status” will be affection; therefore, Guam’s  
23 long-standing issues *must* be resolved during the planning of this

**K-058-007**

Thank you for your comment. The items identified in this comment are not part of the proposed action and are therefore not addressed in the EIS.

K-058-007

1 buildup because as it has been argued over the years, and as Volume  
2 7 supports, once the buildup is complete, the opportunity to do so  
3 will be lost, to the detriment of the people of Guam.”

4 (e) **Infrastructure Upgrades** - the United States Government  
5 Accountability Office released a report on “Defense Infrastructure”  
6 (GAO-09-653) in June 2009, finding that several planning challenges  
7 of the Department of Defense could adversely affect its future  
8 planning efforts in regards to providing utility services to support the  
9 buildup; particular challenges cited include:

10 (1) the failure of DoD to identify additional utility  
11 funding sources, although the agency realizes their cost is likely  
12 to exceed the utility funding committed by Japan; and

13 (2) the time frames for completing the building of  
14 utilities to meet DoD’s scheduled increase of military presence  
15 on Guam provides little flexibility to accommodate any major  
16 adjustments in milestone dates.

K-058-008

17 I *Liheslaturan Guåhan* asserts that the DoD must prepare a  
18 comprehensive utility plan that *shall* specify the assistance the DoD and/or  
19 federal government *shall* provide to Guam to upgrade and improve civilian  
20 resources and infrastructure to meet the additional needs and demands of  
21 the increased population resulting from the buildup; and

K-058-009

22 (f) **Pollution Control** – There exists a concern that DoD has a  
23 separate and liberal standard in the definition of pollution. The DoD

#### K-058-008

Thank you for your comments. The DoD recognizes the importance of mitigating the effects of the proposed actions. Volume 7 discusses mitigation strategies regarding utilities and infrastructure.

#### K-058-009

Thank you for your comment. DoD would continue to comply with all Federal and applicable Guam environmental laws and regulations during implementation of the proposed actions.

K-058-009

1 must work in conjunction with the U.S. Environmental Protection  
2 Agency and the Guam Environmental Protection Agency to define  
3 what constitutes "pollution," and identify and implement proper and  
4 adequate emission control mechanisms to address the water, soil, air  
5 and noise pollution that will occur during, and as a result of, the  
6 construction of the additional land-based infrastructure; and

K-058-010

7 **WHEREAS**, *I Liheslaturan Guåhan* asserts that the aforementioned  
8 issues, related to the buildup, must be addressed concurrently with other  
9 long-standing and unresolved federal-territorial issues, which must *not* be  
10 taken off the table until resolved; and

11 **WHEREAS**, in regards to the progress of nations, President Barack  
12 Obama stated in his State of the Union Address on January 27, 2010, "I do  
13 not accept second place for America"; thus, he should *not* accept second  
14 class citizenship for Americans. He must uphold his commitment to take  
15 action on these federal-territorial issues that continue to have negative  
16 effects on Guam and our people; and

17 **WHEREAS**, the "Agenda of Priority Concerns" for Guam relative to  
18 federal-territorial issues, as presented in Resolution No. 15 (COR) adopted  
19 by *I Liheslaturan Guåhan* on February 27, 2009, and transmitted to the White  
20 House and key members of Congress, is as follows:

21 (a) Recognition of the right to self-determination of the native  
22 inhabitants of Guam;

23 (b) The need for a just political status, and a political status

**K-058-010**

Thank you for your comment. Topics such as the political status of Guam are important issues but are not part of the proposed action.

Comments related to these issues were numerous and indicate underlying social and political dissatisfaction with longstanding federal-territorial status issues outside the scope of DoD legal authority. The various EIS public engagement forums provided an indirect avenue for informing some and reminding others in local and federal policy-making institutions of issues that are important to a significant segment of the Guam community.

1 plebiscite;

2 (c) Resolution of the issue of unreturned ancestral lands by  
3 way of a return of lands, either the actual land involved, *or*  
4 equivalent parcels;

5 (d) Implementation of War Reparations recommendations as  
6 provided for in the Guam Loyalty Recognition Act;

7 (e) Necessary funding, as identified by the Guam First  
8 Commission, that is needed to meet capital infrastructure obligations  
9 imposed on Guam as a result of the ongoing buildup of U.S. military  
10 forces, including, utilities, educational facilities and healthcare  
11 facilities;

12 (f) Inclusion in the Supplemental Security Income (SSI)  
13 program for the disabled, which applies to all fifty (50) States and the  
14 Commonwealth of the Northern Mariana Islands (CNMI), but *not* to  
15 Guam;

16 (g) Exemption from the Jones Act, which has an adverse  
17 impact on Guam's cost of living, and which applies fully *only* to  
18 Guam among all of U.S. insular areas;

19 (h) Removal of funding caps on Medicaid and Public  
20 Assistance programs mandated by the federal government;

21 (i) Full reimbursement for impact costs of the Compacts of  
22 Free Association on Guam's government resources;

23 (j) The provision of sufficient health care resources to address

1 the needs of Guam's Veterans and all of Guam's families;

2 (k) Clean-up of environmental hazards that were created or  
3 augmented by the federal government, and to include environmental  
4 protections;

5 (l) Investigation and treatment of serious health problems  
6 related to federal activity, including, "down-winders," those  
7 individuals who resided in Guam at the time of nuclear weapons  
8 testing in the Pacific;

9 (m) Full participation in economic stimulus legislation,  
10 especially as it relates to public facilities, structures and infrastructure  
11 projects and public safety facilities;

12 (n) Greater participation in federal mass transit and other  
13 public transportation programs;

14 (o) Establishment of a secure Guam-only Visa Waiver program  
15 for visitors, in order to foster growth in our tourism economy;

16 (p) Assistance with other economic development initiatives;

17 (q) Reimbursement of the Earned Income Tax Credits (EITC)  
18 paid or owed to Guam tax filers by the government of Guam since the  
19 inception of the program and payment of all future EITC payments  
20 obligations;

21 (r) Inclusion of Russia and the People's Republic of China on  
22 the list of approved countries for the Guam-CNMI Visa Waiver  
23 Program; and

1       **WHEREAS**, in response to the DEIS, *I Liheslaturan Guåhan*  
2 additionally asserts the following findings:

K-058-011 3       **Finding No. 1:** *I Liheslaturan Guåhan* reiterates that as the most  
4 massive peacetime military buildup in American history is planned  
5 to take place in one of America's smallest communities, such a drastic  
6 imposition of military might must be coupled with a moral obligation  
7 to provide a deeper, and more sincere consideration of Guam's  
8 civilian community. *I Liheslaturan Guåhan*, the voice of one of the  
9 nation's most patriotic communities, willingly shares in the  
10 commitment to forge security for our nation and the world, but  
11 strongly maintains that the protection of our country cannot come at  
12 the expense of the destruction of Guam's people: our culture, our  
13 environment and our way of living.

K-058-012 14       *I Liheslaturan Guåhan* further finds that the conduct of the  
15 Department of Defense in presenting the DEIS to our community for  
16 review, is grossly flawed in that DoD failed to:

17       (a) provide necessary accommodations during the  
18 document review period for access of persons with disabilities;

19       (b) account for the fact that this review period was  
20 scheduled to take place during the most culturally and  
21 religiously sensitive time of year for the people of Guam,  
22 encompassing five (5) holidays, including Thanksgiving,  
23 Christmas, New Year's Day and Martin Luther King Day, in

**K-058-011**

Thank you for your comment. DoD recognizes the importance of managing efforts in implementing the proposed military relocation to reduce adverse effects on the people of Guam, its natural resources and infrastructure. The Final EIS process identifies ways to implement the proposed relocation while minimizing adverse impacts. DoD will continue to ensure that the short term impacts of construction are managed effectively and that the long term effects of the military relocation reflect DoD policies to be good neighbors and responsible citizens on Guam.

Through the process of public involvement that has accompanied this proposed action, the Chamorro people of Guam have voiced clearly and concisely their concern that the traditional Chamorro culture, including dance, language and traditions, will be forgotten. While population increases can highlight cultural differences, they also present unique opportunities for cultural learning and sharing. As noted in the Final EIS, the DoD plans for cultural sensitivity orientation and awareness programs will focus on mutual respect and tolerance and strive to educate all incoming and currently present military personnel on the rich and varied cultural history that has created the culture that is Guam today. Finally, the DoD plans to increase military civilian joint activities in order to foster strong and mutually beneficial military civilian relationships that include the sharing and understanding of culture.

**K-058-012**

Thank you for your comment. The DoD carefully considered all requests to extend the length of the comment period beyond the 45-day minimum required by NEPA. In evaluating multiple options, DoD leadership determined that, even with noted holidays, a 90-day comment period best balanced the need for sufficient time to review a complex document with the requirement to reach a timely decision regarding the proposed military buildup on Guam.

1 addition to a significant religious local holiday honoring Our  
2 Lady of Camarin, thereby limiting the amount of time to review  
3 the DEIS;

4 (c) reasonably provide three (3) separate and distinct  
5 DEIS elements, to logically correspond to each of DoD's  
6 proposed actions;

7 (d) address the indirect impacts of the buildup; and

8 (e) allow a reasonable period of time for review of the  
9 equivalent of three (3) separate and distinct DoD actions, but  
10 instead provided a mere ninety (90) days to review the  
11 document consisting of more than eleven thousand (11,000)  
12 pages of information relative to this drastic undertaking. It is  
13 the consensus among our people and our leaders that such an  
14 unrealistic and inadequate review period is grossly insufficient  
15 to thoroughly review the document, analyze its impacts and  
16 present comments and viable alternatives to the proposals  
17 presented. *I Liheslaturan Guåhan* finds that the review period  
18 should be extended to give our island community time to assist  
19 in the development of an equitably beneficial buildup strategy.

20 It is the position of *I Liheslaturan Guåhan* that these flaws  
21 warrant both executive and congressional intervention mandating  
22 that DoD provide the people of Guam with a revised DEIS, providing  
23 for a reasonable time period to review and respond to the revised

Regarding accommodations for persons with disabilities, the public hearings were held in facilities that are ADA compliant. Also, while the DEIS is not available in Braille, a synopsis of the proposed action and its impacts is available as an audio file on the project website: [www.guambuildupeis.us](http://www.guambuildupeis.us). One of the intents of the public hearings was to make project information readily available to those people in the community who were not able to access the DEIS online or in one of the many locations on Guam where a hardcopy is available.

1 DEIS; responses to which, DoD must address before a Final EIS is  
2 released.

3 **Finding No. 2:** In Volume 1, Table ES-2 depicts the "Estimated  
4 Total Population Increase in Guam from Off-Island (Direct, Indirect,  
5 and Induced)." This table indicates that at the peak of the buildup in  
6 2014, there will be approximately eighty thousand (80,000) additional  
7 people in Guam from off-island. By 2017, this number falls to  
8 approximately thirty-three thousand (33,000). However, this chart is  
9 insufficient in that it does not account for the current population, and  
10 the natural growth of such.

11 Attached as "Exhibit 1" is a more complete chart that combines  
12 Table ES-2 with additional information displaying the estimated  
13 annual total Guam population from 2010 to 2020. The total  
14 population figure peaks at nearly two hundred ninety thousand  
15 (290,000) in 2014; drops to about two hundred fifty thousand  
16 (250,000) in 2017; and climbs thereafter due to natural growth.  
17 "Exhibit 1" assumes that the Marines being moved from Futenma,  
18 Okinawa will come to Guam. The addendum to Table ES-2 provides  
19 the "Total Guam Population Information not included in the DEIS (in  
20 italics)." This chart accounts for Guam's natural population growth,  
21 as well as the total number of people that will be in Guam, on  
22 average, each day of the year indicated. Based on this information,  
23 Guam's base population will grow by about seventeen percent (17%)

1 from 2010 to 2020, as will visitor arrivals.

2 Attached as "Exhibit 2" is the United States Government  
3 Accountability Office Report No. GAO-09-653, which indicates that  
4 the DoD demand for potable water will more than double by 2020.  
5 The DEIS addresses only the needs of the military, without taking  
6 into account the rapidly growing needs of the civilian population for  
7 potable water. The Army Corps of Engineers has found that the  
8 Inarajan watershed can produce a sustainable volume of eight-and-a-  
9 half (8.5) million gallons per day. As DoD will be drilling wells and  
10 pumping water from northern Guam's aquifer, a companion effort  
11 must also be funded by DoD to capture southern Guam's surface  
12 water for the civilian community. The GAO findings are inconsistent  
13 with the DEIS findings and must be reconciled.

14 **Finding No. 3:** The United States Government Accountability  
15 Office Report No. GAO-09-653 ("Exhibit 2") indicates that once the  
16 buildup is complete, the DoD's power needs will be three-and-a-half  
17 (3.5) times greater than today's demand. One Hundred Seventy (170)  
18 megawatts of new generation capacity will be needed to handle the  
19 increased need of the military alone. As Guam's civilian population  
20 will increase by about seventeen percent (17%) over the same period,  
21 approximately one hundred (100) megawatts of new generation  
22 capacity will be needed. DoD must begin funding Guam Power  
23 Authority projects to provide the additional two hundred seventy

17

### K-058-013

Thank you for your comment. The DEIS estimates the water demand from both DoD and the civilian side. Please see Volume 6, chapter 2, section 2.2.2.2. The sustainable yield studies for the northern Guam lens aquifer indicates there would be adequate water supply from this source for both DoD and the civilian side for the foreseeable future. The potential of the Inarajan watershed could be a potential future water source. DoD is legally limited in how they can spend their budget. They cannot fund purely civilian infrastructure and can only pay for what is required for their personnel and facilities. DoD cannot develop Inarajan watershed for civilian growth.

### K-058-014

Thank you for your comment. Subsequent to publishing the DEIS, DoD and Guam Power Authority (GPA) have discussed two approaches to implement the required power upgrades. One plan would establish a private entity (PE) under contract with GPA that would obtain a DoD arranged loan to recondition the required combustion turbines and transmission and distribution system owned by GPA. The second plan would have GPA utilize their own financial resources/arrangements to make the required upgrades. In either case, the customer service agreement between DoD and GPA would be revised to a utility service contract and reflect fees that would pay for these improvements. These options are discussed in the final EIS.

DoD has received concurrence from GPA that based on revised load projections for both DoD and the civilian side, a new base load generating facility would be required by 2017 and sized in the 60 to 80 MW range. The 270 MW cited in the GAO report does not reflect what is known today about future power needs on Guam as a result of the relocation. DoD and GPA are working closely together in planning for the proposed relocation.

K-058-014

1 (270) megawatts of power necessary to prevent a return to the days of  
2 "load shedding," when GPA had inadequate power reserves during  
3 the early 1990s. The GAO findings are inconsistent with the DEIS  
4 findings and must be reconciled.

K-058-015

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6 **Finding No. 4:** A Civil-Military Advisory Council (CMAC) for  
7 Guam should be established, by the Secretary of Defense and *I*  
8 *Maga'lahaen Guåhan* (the Governor of Guam), to be a part of the Guam  
9 First Commission. The CMAC would be tasked to work on routine  
10 civil-military local issues on a regular basis. The membership,  
11 responsibilities and duties of the CMAC are outlined as follows:

12 (a) The military membership shall be designated by the  
13 Secretary of Defense, while the local membership shall be  
14 appointed by the Commission. The CMAC membership shall  
15 be limited to six (6) members for each of the civilian and  
16 military sides; the civilian side should include *at least* one (1)  
17 representative of *I Liheslaturan Guåhan*. The membership  
18 should ensure balance and efficiency, which is important  
19 because it must result in high-level decision-makers sitting at  
20 the table addressing local issues.

21 (b) The CMAC shall hold at least one (1) meeting per month  
22 to address a previously agreed upon agenda; meetings shall be co-  
23 chaired by the Commander, Regional Forces Marianas and *I*  
*Maga'lahaen Guåhan* (the Governor of Guam).

**K-058-015**

Thank you for your comment. DoD concurs that proactively and jointly managing the military relocation is essential to satisfy stakeholder concerns. As stated in Volume 7 of the FEIS, DoD proposes establishing an interagency council to oversee implementation of the proposed action and to adjust components of the action to mitigate impacts (if necessary).

K-058-015

1 (c) Tasks and deadlines should be developed for various  
2 issues by mutual agreement. Subcommittees may be appointed.

3 (d) The officer on the Commander's staff responsible for  
4 civil-military matters and the Governor's staff assistant for military  
5 matters would serve as the secretarial staff for CMAC.

6 **Finding No. 5:** Upon the establishment of a Civil-Military  
7 Advisory Council (CMAC) for Guam, a directive, issued by both the  
8 Secretary of Defense and *I Maga'lahaen Guåhan* (the Governor of  
9 Guam), should provide that a "Leaders Meeting" be held at least once  
10 a month. Included in this top-level meeting shall be *I Maga'lahaen*  
11 *Guåhan* (the Governor of Guam), the Speaker of *I Liheslaturan Guåhan*  
12 (the Guam Legislature), the Chairperson of the Legislative Committee  
13 on Federal Affairs (or its equivalent), the Chairperson of the  
14 Legislative Committee on Military Affairs (or its equivalent), Guam's  
15 top military commanders from each branch of service, and others  
16 from the civilian community selected for their areas of expertise. The  
17 goal of these meetings is to achieve what was so eloquently  
18 articulated by Assistant Secretary of the Navy, Mr. Roger Natsuhara:  
19 "...we are committed to one Guam, whole government approach.  
20 This realignment should benefit all of us. By working together across  
21 the federal and local governments, you can be assured that it will be."

22 **Finding No. 6:** An omnibus appropriation bill may be  
23 appropriate for the infrastructure needs of Guam's civilian

**K-058-016**

Thank you for your comment. As documented in this EIS, DoD acknowledges the existing sub-standard conditions of key public infrastructure systems and social services on Guam and the interest to have DoD fund improvements to these systems and services. DoD's ability to fund actions is limited by Federal law. However, to minimize adverse impacts associated with the proposed military relocation program, DoD is leading a federal inter-agency effort to identify other Federal programs and funding sources that could benefit the people of Guam.

K-058-016

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community. The United States Government Accountability Office has determined that Two Billion Nine-Hundred Million Dollars (\$2.9 Billion) is necessary for power, water, wastewater, highways, educational and healthcare facilities, and other capital improvements. Piece-meal legislation that parcels out small appropriations over long periods of time will *not* answer needs that will appear almost immediately. Guam should *not* be forced to compete with the fifty (50) states and the other territories for grants and loans for these immediate needs.

Greater participation in Federal and other public transportation programs and funding will be necessary to alleviate traffic congestion on highways in 2010, and beyond, that were designed for the volume of the 1980s and 90s; assistance with economic development initiatives will be paramount to keep Guam's economy growing when the buildup begins to wind down.

K-058-017

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**Finding No. 7:** The buildup's impact on tourism will come from every direction: the massive number of construction projects and heavy trucks that will clog the highways; the dramatic increase in the numbers that avail themselves of Guam's entertainment industry and beautiful beaches; and the heightened, more visible military presence that can make travelers nervous.

Conservative forecasts indicate that a favorable ruling by the Department of Homeland Security relative to reducing visa

K-058-017

Thank you for your comment.

K-058-017

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restrictions for visitors from China and Russia will give a favorable boost to Guam's visitor-driven economy, as may a reduction in the restrictions against visitors from the Republic of the Philippines. This could result, according to the Guam Visitors Bureau, that up to eighty thousand (80,000) Chinese visitors alone will travel to Guam annually within three (3) years, adding over One hundred Thirty Million Dollars (\$130 Million) in annual revenue.

K-058-018

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**Finding No. 8:** With respect to the Socioeconomic Impact Assessment Study (SAIS) and the entire DEIS there are many inconsistencies and omissions of data that make assessing the impact of the activity proposed by the Department of Defense (DoD) to the taxpayers of Guam unquantifiable.

Without a proper and accurate analysis of how much additional revenue will be collected by the government of Guam, it is *not* possible to truly assess and analyze the economic impact to Guam. The following deficiencies were identified:

(a) There is no documentation of the entire financial model used to develop the estimated tax revenue in Volume 9, Appendix F Section 4.3.3 making it impossible to technically analyze the SAIS output.

(b) The estimated impact to Gross Island Product (GIP) to the sum of all general tax revenue impact (GRT + Corporate Income Tax + Personal Income Tax) from the SAIS (Volume 9,

**K-058-018**

Thank you for your comment. Your comments did not detail the "many inconsistencies and omissions" of the SIAS so we are not able to address these issues. The SIAS does cover impacts to Guam based on the existing available information that was gathered, as well as interviews conducted with local agencies, business organizations, and individuals with specific expertise in economic activities. The summary of the interviews are provided in the SIAS. Section 4.3.3 of the SIAS provides information and discussion on the projected impacts the proposed action would have on government of Guam revenues. This section does not provide a complete accounting of all revenues sources; the section focuses on three major revenue sources: gross receipts tax (GRT), corporate income tax and personal income taxes. It is anticipated that more detailed information on tax revenues may be found in, the currently underway, Fiscal Impact Assessment (FIA); the FIA is funded by DoD's Office of Economic Adjustment through the office of the Governor.

The SIAS presents, in table format, the primary data and assumptions used in the the development of economic impacts (to include impacts on GIP).

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Appendix F Section 4.3.3) produces a ratio of general tax revenue as a percent of GIP that fluctuates from forty-two percent (42%) to forty-nine percent (49%). The historical Guam ratio of general tax revenue to GIP is approximately ten percent (10%) compared to the SAIS ratio of forty-two percent (42%) to forty-nine percent (49%). The estimated impact or benefit of general tax revenue appears vastly overstated based on this comparison.

(c) The Pacific Center for Economic Initiatives, University of Guam concluded that in the SAIS, the estimated direct and indirect impact on additional tax revenue collections to the government of Guam are overstated by forty-one percent (41%) to one hundred nineteen percent (119%).

(d) The Pacific Center for Economic Initiatives, University of Guam concluded that an analysis of the direct and indirect cost to the government of Guam should be performed and compared with a revised analysis of the additional tax revenues resulting from the military buildup. An accurate presentation of all benefits and costs or net effect will allow a determination of whether the proposed military buildup presents a long-term financial burden or benefit to the taxpayers of Guam;

K-058-019

1 **Finding No. 9:** The impact on medical facilities and the  
2 health of the current population will be sharpened by the dramatic  
3 population increase.

4 Increasing access to healthcare as the population booms is  
5 critical, especially as Guam's people struggle with increasing costs  
6 and federal restrictions on accessing U.S.-accredited quality care in  
7 the Philippines. The federal government must allow the  
8 reimbursement of all Medicare and Medicaid costs incurred by U.S.-  
9 accredited health institutions in the Republic of the Philippines for  
10 services rendered to Guam patients who will receive care there.

11 **Finding No. 10:** The DEIS states that approximately eight  
12 thousand six hundred (8,600) Marines will be relocated to Guam,  
13 vastly increasing the island's Veteran population. This substantial  
14 growth will be met with an increasing need to provide services to  
15 Veterans. Currently, *not* all services under the Veterans Benefits  
16 Administration are processed on-island.

17 According to the U.S. Department of Veterans Affairs, the  
18 Veterans Benefits Administration exists to provide benefits and  
19 services to Veterans and their families in a responsive, timely and  
20 compassionate manner in recognition of their service to the Nation.  
21 Its vision is that the Veterans served will feel that our nation has kept  
22 its commitment to them.

**K-058-019**

Thank you for your comment. Your mitigation recommendation has been taken under consideration. Expanded mitigation discussion is available in the FEIS.

K-058-019

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The Veterans of Guam already are underserved by the absence of a federal claims and benefits processing office on the island. With this increasing population, Guam now more than ever needs an increase in on-island services to Veterans. The U.S. Department of Veterans Affairs must open an office in Guam offering full services to Veterans living in Guam.

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**Finding No. 11:** Volume 9 of the DEIS says the economic boom brought by the military buildup will be followed by a recession. It is important to mitigate any negative economic period to ensure sustained prosperity by giving Guam new and necessary regulatory control over its resources.

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K-058-020

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Guam must have control over the means by which it can gain financial independence and economic sustainability. For centuries the people of Guam controlled and thrived from the marine resources surrounding our shores. The federal government must grant Guam control over scientific research, management, exploration and exploitation of all ocean resources within Guam's Exclusive Economic Zone, to include the levy and collection of all tax revenues derived from private enterprise profiting from the marine resources within Guam Exclusive Economic Zone, and to mandate and fund U.S. Coast Guard patrol and enforcement of U.S. maritime law within the Exclusive Economic Zone; and

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**WHEREAS**, at a meeting of February 1, 2010 with members of I

**K-058-020**

Thank you for your comment. The Exclusive Economic Zone is beyond the the geographic limits of the resource study areas. The management of the EEZ in not included in the EIS.

K-058-021

Thank you for your comment.

1 *Lihe slaturan Guåhan*, Congresswoman Bordallo solicited *I Lihe slaturan*  
2 *Guåhan's* position on approaching this massive military buildup, and  
3 further committed to representing such position; now, therefore, be it

4 **RESOLVED**, that *I Lihe slatura Guåhan*, collectively and as individuals  
5 sworn to represent Guam, affirms its pledge for all generations, today and  
6 tomorrow (*para todû I hinirason pâgo yan todû I tempo*): '*Ginen I mâs takhelo'*  
7 *gi hinasso-ku, I mâs takhalom gi kurason-hu, Yan I mâs figo' na nina'siña-hu, hu*  
8 *ufresen maisa yu' para bai hu prutehi yan hu difende I hinengge, I kottura, I*  
9 *lengguahi, I aire, I hanom yan I tano' Chamoru ni irensiâ-ku direchu ginen as*  
10 *Yu'os Tâta este hu afitma gi hilo' I bipblia yan I banderâ-hu, I Banderan*  
11 *Guåhan*, (From the very essence of my intellect, the deepest within my heart,  
12 and every fiber of my physical strength, I make this self-fulfilling promise  
13 to protect and to defend, the beliefs, the culture, the language, the air, the  
14 water, and the land of the *Chamoru* people which are our inherent God-  
15 given rights, This I will Affirm on the Holy Bible and our banner, the  
16 Guam Flag); and be it further

17 **RESOLVED**, that *I Mina'Trenta Na Lihe slaturan Guåhan*, on behalf of  
18 the people of Guam, does hereby present these sentiments to President  
19 Barack Obama and the Congress of the United States concerning the "Draft  
20 Environmental Impact Statement/Overseas Environmental Impact  
21 Statement on the Guam and CNMI Military Relocation"; and be it further

K-058-021 | 22 **RESOLVED**, that *I Mina'Trenta Na Lihe slaturan Guåhan*, on behalf of  
23 the people of Guam, does hereby assert that these flaws warrant both

K-058-021  
1 executive and congressional intervention mandating that DoD provide the  
2 people of Guam with a revised DEIS, providing for a time period to review  
3 and respond to the revised DEIS; responses to which, DoD must address  
4 before a Final EIS is released; and be it further

K-058-022  
5 **RESOLVED**, that *I Mina'Trenta Na Liheslaturan Guåhan*, on behalf of  
6 the people of Guam, does hereby affirm the six (6) essential elements of  
7 compliance that warrant favorable resolution in planning for the buildup:  
8 land; dredging; physical and mental healthcare; sociocultural impacts of  
9 the buildup; infrastructure upgrades; and pollution control, which without  
10 resolution this buildup will be held in abeyance and NO ACTION be taken;  
11 and be it further

K-058-023  
12 **RESOLVED**, that *I Mina'Trenta Na Liheslaturan Guåhan*, on behalf of  
13 the people of Guam, does hereby present, for a second time, Guam's  
14 "Agenda of Priority Concerns" to President Barack Obama and the  
15 Congress of the United States to further emphasize that the resolution of  
16 many pending federal-territorial matters must be a key component in the  
17 military buildup process; and be it further

18 **RESOLVED**, that *I Mina'Trenta Na Liheslaturan Guåhan*, on behalf of  
19 the people of Guam, does hereby assert additional findings on actionable  
20 items relative to the DEIS process, referenced herein as "Finding Numbers  
21 One (1) through Eleven (11)"; and be it further

22 **RESOLVED**, that *I Mina'Trenta Na Liheslaturan Guåhan*, on behalf of  
23 the people of Guam, does hereby request that during President Barack

**K-058-022**

Thank you for your comment. DoD recognizes the importance of managing efforts in implementing the proposed military relocation to reduce adverse effects on the people of Guam, its natural resources and infrastructure. The EIS process identifies ways to implement the proposed relocation while minimizing adverse impacts. DoD will continue to work with the people and Government of Guam to ensure that the short term impacts of construction are managed effectively and that the long term effects of the military relocation reflect DoD policies to be good neighbors and responsible citizens on Guam.

**K-058-023**

Thank you for your comment.

1 Obama's visit to Guam, planned for March 19, 2010, that he address our  
2 community in a "town hall" style meeting; and be it further

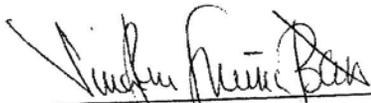
3       **RESOLVED**, that the Speaker certify, and the Legislative Secretary  
4 attest to, the adoption hereof, and that copies of the same be thereafter  
5 transmitted to Barack Obama, President of the United States; His  
6 Excellency, Dr. Yukio Hatoyama, Prime Minister of Japan; to the  
7 Honorable Nancy Pelosi, Speaker of the U.S. House of Representatives; to  
8 the Honorable Robert C. Byrd, President Pro Tempore of the U.S. Senate; to  
9 the Honorable Harry Reid, Majority Leader of the U.S. Senate; to the  
10 Honorable Ike Skelton, Chairman, House Armed Services Committee; to  
11 the Honorable Carl Levin, Chairman, Senate Armed Services Committee; to  
12 the Honorable Madeleine Z. Bordallo, Guam Delegate to the U.S. House of  
13 Representatives; to the Honorable Gregorio Sablan, CNMI Delegate to the  
14 House of Representatives; to the Honorable Donna M. Christensen, U.S.  
15 Virgin Islands Delegate to the U.S. House of Representatives; to the  
16 Honorable Eni F.H. Faleomavaega, American Samoa Delegate to the U.S.  
17 House of Representatives; to the Honorable Pedro Pierluisi, Puerto Rico  
18 Delegate to the U.S. House of Representatives; to the Honorable Benigno R.  
19 Fitial, Governor of the Commonwealth of the Northern Mariana Islands; to  
20 the Honorable Robert Gates, Secretary of Defense; to the Honorable Ken  
21 Salazar, Secretary of the Interior; to the Honorable Lisa P. Jackson,  
22 Administrator, United States Environmental Protection Agency; to the  
23 Honorable Ray Mabus, Secretary of the Navy; to the Honorable Roger

1 Natsuhara, Assistant Secretary of the Navy for Installations and  
2 Environment; to the Honorable Anthony Babauta, Assistant Secretary of  
3 the Interior for Insular Affairs; to the Honorable Jared Blumenfeld,  
4 Administrator, USEPA Region 9; to the Honorable Nancy Sutley,  
5 Chairperson, Council on Environmental Quality (NEPA); to the Honorable  
6 Ban Ki-moon, Secretary-General of the United Nations, and to the  
7 Honorable Felix P. Camacho, *I Maga'lahaen Guåhan*.

**DULY AND REGULARLY ADOPTED BY I MINA'TRENTA NA  
LIHESLATURAN GUÅHAN ON THE 11<sup>TH</sup> DAY OF FEBRUARY, 2010.**



JUDITH T. WON PAT, Ed.D.  
Speaker



TINA ROSE MUÑA BARNES  
Legislative Secretary

Estimated Total Population Increase in Guam from Off-Island (Others, Indirect, and Induced) PLUS Total Guam Population Information NOT INCLUDED IN DEIS (in Italics)

	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
<b>Direct DAD Population</b>	510	1,570	1,570	1,570	10,552	10,552	10,552	10,552	10,552	10,552	10,552
Active Duty Marine Corps	437	1,231	1,231	1,231	9,000	9,000	9,000	9,000	9,000	9,000	9,000
Marine Corps Dependents	0	0	0	0	0	0	0	0	0	0	0
Active Duty Navy <sup>1</sup>	0	0	0	0	0	0	0	0	0	0	0
Naval Dependents	0	0	0	0	0	0	0	0	0	0	0
Active Duty Army	0	0	0	0	0	0	0	0	0	0	0
Army Dependents	0	0	0	0	0	0	0	0	0	0	0
Naval Air Station Dependents	102	244	244	244	1,720	1,836	1,836	1,836	1,836	1,836	1,836
Naval Air Station Workers	97	232	232	232	1,654	1,745	1,745	1,745	1,745	1,745	1,745
Naval Air Station Dependents	5	12	12	12	66	91	91	91	91	91	91
Off-Island Construction Workers (DAD Popo)	1,162	2,583	3,800	3,964	4,721	2,832	1,047	0	0	0	0
Dependents of Off-Island Construction Workers (DAD Popo)	5,646	14,112	21,344	25,135	46,652	39,685	29,545	24,715	24,715	24,715	24,715
<b>Indirect and Induced Population</b>	2,744	7,038	11,773	14,077	16,988	12,940	6,346	4,346	4,346	4,346	4,382
Off-Island Workers for Indirect/Induced Jobs	2,627	6,685	11,184	13,372	16,138	12,293	6,038	4,372	4,372	4,372	4,413
Dependents of Off-Island Workers for Indirect/Induced Jobs	5,934	15,733	22,857	27,450	33,126	25,233	12,374	8,718	8,718	8,895	8,895
Indirect/Induced Subtotal	11,038	27,453	44,301	52,275	79,178	62,918	31,979	33,431	33,431	33,431	33,608
<b>Building Related Population Increase</b>	181,104	183,232	186,586	189,479	192,230	195,103	198,030	201,000	204,014	207,074	210,138
New Building Population <sup>2</sup>	192,144	211,638	230,881	241,954	271,598	260,021	239,549	234,431	237,445	240,687	243,788
Existing Building Population	9,233	9,679	10,027	10,177	10,336	10,485	10,643	10,802	10,964	11,126	11,297
Buildings Under Construction	0	0	0	0	5,400	5,400	5,400	5,400	5,400	5,400	5,400
Population Increase from Buildings	201,427	221,437	240,998	252,131	287,126	275,906	255,997	250,631	253,809	255,210	259,483

EXHIBIT 1

NOTES: <sup>1</sup>DAD population includes military personnel, DAD civilian workers and dependents from off-island.

<sup>2</sup>The Navy now do not include dependents from the transient presence of aircraft carrier crew with their carrier strike group (CSG).

<sup>3</sup>Population figures do not include Guam residents who obtain employment as a result of the proposed actions.

<sup>4</sup>Based on 2009 CIA Worldbook estimate of Guam's population, plus estimated growth of 1.5% per annum through 2020.

<sup>5</sup>Average daily runs since estimated 1 million visitors for 2009, 1.5% annual growth, multiplied by average stay of 3.5 days, divided by 305 days.

<sup>6</sup>Based on current legislative government data to meet additional Marines from Fortson in Guam. Estimated 3,000 Marines and 2,400 Dependents.

GAO

June 2009

## DEFENSE INFRASTRUCTURE

### Planning Challenges Could Increase Risks for DOD in Providing Utility Services When Needed to Support the Military Buildup on Guam



GAO-09-653

EXHIBIT 2

## DEFENSE INFRASTRUCTURE

## Planning Challenges Could Increase Risks for DOD in Providing Utility Services When Needed to Support the Military Buildup on Guam



Highlights of GAO-09-653, a report to congressional requesters

### Why GAO Did This Study

The Department of Defense's (DOD) plans to increase the U.S. military presence on Guam by more than two-and-a-half times the island's current military population of 15,000 by 2020. To keep pace with this growth, DOD has determined that substantial upgrades to the island's existing utilities infrastructure are required for electric power, potable water, wastewater treatment, and solid waste disposal to meet future utility needs.

GAO was asked to examine (1) the condition and capacity of the existing utilities infrastructure on Guam, the military's estimated utility requirements, and potential solutions for meeting the increased demand on the island's utility systems as well as (2) the extent that DOD has developed a comprehensive plan to address any challenges it faces in its planning for new utility systems. GAO reviewed and analyzed plans and studies within DOD, the services, and several stakeholders on implementing new utility services associated with the Guam military buildup.

### What GAO Recommends

GAO recommends that DOD develop a comprehensive utility plan for Guam, in cooperation with the government of Guam, to strengthen DOD's management of its utility planning efforts and provide additional transparency among its stakeholders. DOD agreed with our recommendation.

To view the full product, including the scope and methodology, click on GAO-09-653. For more information, contact Brian J. Lepore, 202-512-4523, leporeb@gao.gov.

### What GAO Found

Existing utility systems on Guam are currently near or at their maximum capacities and will require significant enhancements to meet anticipated demands of the expanding U.S. military population resulting from DOD's planned buildup. Over the past 2 years, the Navy's Joint Guam Program Office, which is leading DOD's utility planning efforts in cooperation with the Naval Facilities Engineering Command, has conducted several studies to identify and evaluate possible long-term solutions and establish an implementation approach. Currently, DOD is determining its preferred solutions that will likely result in increasing (1) islandwide electric power generation capacity by 31 percent, (2) Navy potable water production by 89 percent, and (3) wastewater collection and treatment capacity at a Guam Waterworks Authority plant by 50 percent. In addition, DOD plans to use the government of Guam's new landfill to dispose of all DOD solid waste, which is likely to increase by 230 percent as a result of the buildup. DOD also determined that certain operating inefficiencies, outstanding deficiencies, and compliance issues with certain environmental regulations in the existing infrastructure—especially related to those systems operated by Guam utility authorities—would need to be addressed to implement some of its potential solutions.

While the Navy's Joint Guam Program Office has made progress in identifying requirements and solutions to meet future demands, it has not developed a comprehensive utility plan, which would be mutually developed with the government of Guam. Our prior work has shown that use of a comprehensive plan is an important planning tool for an organization to increase transparency and improve management of its efforts to achieve overall objectives. Such a plan generally would include information for stakeholders on schedules, costs, financing, goals and objectives, projects and activities, responsibilities, potential risks, challenges, and other factors that could affect implementation. Several challenges could adversely affect future planning efforts. First, the condition of existing Guam utility systems can affect implementation of some potential solutions. Second, the involvement of a number of diverse stakeholders complicates the planning process by requiring continuous coordination and sharing of information as plans are developed and implemented. Third, sources of funding have not been identified although DOD's cost estimates indicate that the total cost for utilities is likely to exceed the amount of utility funding that the government of Japan has agreed to commit. Fourth, the use of a special purpose entity (utilities service provider) approach to provide new utility services has not been previously used by DOD for utility construction, and DOD may currently lack the statutory authority to implement certain aspects of this approach thus potentially increasing uncertainty about financing, stakeholder involvement, and schedules. Lastly, time frames for completing the buildup of utilities to meet DOD's scheduled increase of military presence on Guam provide little flexibility to accommodate any major adjustments in milestone dates. Without a comprehensive plan, DOD lacks an important planning tool to address these challenges and provide consistent, detailed information to its stakeholders.

United States Government Accountability Office

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United States Government Accountability Office  
Washington, DC 20548

June 30, 2009

The Honorable Solomon P. Ortiz  
Chairman, Subcommittee on Readiness  
Committee on Armed Services  
House of Representatives

The Honorable Madeleine Z. Bordallo  
House of Representatives

The Department of Defense's (DOD) plans to increase the U.S. military presence on Guam by more than two-and-a-half times the island's current military population by 2020. If implemented as planned, this realignment would increase the military population on Guam from about 15,000 in 2009 to about 29,000 in 2014, and to over 39,000 by 2020. This growth will increase the current island population of 178,430 by about 14 percent over those years.<sup>1</sup> The largest portion of the military's population growth is related to the relocation of about 8,000 Marines and their 9,000 dependents from Okinawa, Japan, to Guam as part of an initiative between the United States and government of Japan to reduce forces in Japan while maintaining a continuing presence of U.S. forces in the region. The populations of each of the other military services would also increase as a result of DOD plans to expand their operations and presence on Guam.

To keep pace with the projected growth in the military's population on Guam, DOD has determined that substantial upgrades to the island's existing utilities infrastructure are required for electric power generation, potable water production, wastewater collection and treatment, and solid waste collection and disposal to provide the additional utility capacities and services. The Navy's Joint Guam Program Office, which is leading the planning efforts among DOD components and other stakeholders to consolidate, optimize, and integrate the existing DOD infrastructure on

<sup>1</sup> A recent report by the government of Guam's Department of Public Works projected continued growth in the population of Guam. The report estimated that by 2030, the 2008 civilian population of 176,000 would grow by 26 percent to 222,000 without the anticipated military buildup; with the military buildup, the report estimated the total population would increase by 44 percent to 253,000 in 2030 from the current population. Government of Guam, Department of Public Works, *2030 Guam Transportation Plan* (Dec. 19, 2008). The population of Guam is estimated to be 178,430 in July 2008, according to the Central Intelligence Agency's *The World Fact Book*, <https://www.cia.gov/library/publications/the-world-factbook/> (accessed June 2009).

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Guam associated with the buildup, in cooperation with the Naval Facilities Engineering Command, conducted a number of technical studies and business case analyses to evaluate potential solutions for meeting the increased demand for utility services. In addition, DOD is awaiting completion of its environmental impact statement study and associated record of decision before making final decisions on the long-term solutions and its implementation approach for developing the new utility services.<sup>2</sup> These solutions will be developed and possibly implemented by a special purpose entity or entities,<sup>3</sup> which DOD would help to create, to provide the technical expertise in constructing and operating the utilities. According to the Joint Guam Program Office, DOD plans to complete new utility construction on Guam and be operational by November 2014.

This is one in a series of reports on DOD's plans for increasing its presence on Guam.<sup>4</sup> At your request, this report reviewed DOD's planning approach for improving Guam's utilities' infrastructure to meet the increased demand for services resulting from the significant growth in the military's population. Specifically, we examined (1) the condition and capacity of

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<sup>2</sup>The National Environmental Policy Act of 1969, codified as amended at 42 U.S.C. § 4321-4347, establishes environmental policies and procedures that shall be followed by all federal agencies to the fullest extent possible. In accordance with these requirements and the regulations for implementing the National Environmental Policy Act of 1969 established by the Council for Environmental Quality, federal agencies typically evaluate the likely environmental effects of a project they are proposing to undertake using an environmental assessment or, if the project constitutes a major federal action significantly affecting the quality of the human environment, a more detailed environmental impact statement.

<sup>3</sup>DOD officials said that the special purpose entity would most likely be a limited liability company or partnership formed for the specific purpose of providing a particular utility service or services on Guam. A limited liability company is a company in which the liability of each shareholder or member is limited to the amount individually invested. A limited partnership is a partnership composed of one or more persons who control the business and are personally liable for the partnership's debts (called general partners), and one or more persons who contribute capital and share profits but who cannot manage the business and are liable only for the amount of their contribution.

<sup>4</sup>These reports include GAO, *Defense Infrastructure: Overseas Master Plans Are Improving, but DOD Needs to Provide Congress Additional Information about the Military Buildup on Guam*, GAO-07-1015 (Washington, D.C.: Sept. 12, 2007); *Defense Infrastructure: Planning Efforts for the Proposed Military Buildup on Guam Are in Their Initial Stages, with Many Challenges Yet to Be Addressed*, GAO-08-722T (Washington, D.C.: May 1, 2008); *Defense Infrastructure: Opportunity to Improve the Timeliness of Future Overseas Planning Reports and Factors Affecting the Master Planning Effort for the Military Buildup on Guam*, GAO-08-1005 (Washington, D.C.: Sept. 17, 2008); and *High-Level Leadership Needed to Help Guam Address Challenges Caused by DOD-Related Growth*, GAO-08-500R (Washington, D.C.: April 9, 2009).

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the existing utilities' infrastructure on Guam, the military's estimated utility requirements, and potential solutions for meeting the increased demand on the island's utility systems, and (2) the extent that DOD has developed a comprehensive plan to address any challenges it faces in its planning for new utility systems. You also requested that we review issues related to rates charged by the Navy for water from its Fena Reservoir water treatment operations on Guam, which are discussed in appendix II.

To determine the current condition and capacity of Guam's existing utilities infrastructure, the military's estimated utility requirements, and potential solutions for meeting the increased demand on the island's utility systems, we obtained and reviewed studies and assessments, briefings, annual reports, and other pertinent documentation prepared by DOD, government of Guam, and U.S. federal departments and agencies. We interviewed and discussed this information with officials at the Navy's Joint Guam Program Office, Naval Facilities Engineering Command, U.S. Environmental Protection Agency, offices and organizations of the government of Guam, including the Consolidated Commission on Utilities, Guam Power Authority, Guam Waterworks Authority, and Department of Public Works. We also met with officials of Gershman, Brickner & Bratton, Inc.—the U.S. District Court of Guam appointed receiver for Guam's solid waste operations. We analyzed data on the expected number and timing of military personnel arriving on Guam and reviewed several technical studies, business case analyses, and related studies on the projected utility requirements and associated capacities that would be needed to provide sufficient utilities services. We discussed DOD's projected requirements and potential solutions for providing the needed new utility services with the Joint Guam Program Office, Naval Facilities Engineering Command headquarters and its Pacific and Marianas component commands, the U.S. Pacific Command and its service component commands, and Navy, Marine Corps, and Air Force headquarters. To determine the extent that DOD has developed a comprehensive plan to address any challenges it faces in its planning for new utility systems, we obtained and reviewed studies, reports, briefings, and other documentation and discussed this information with officials at the Joint Guam Program Office, Naval Facilities Engineering Command, U.S. Pacific Command and its service components, and other DOD organizations. To determine the key steps that DOD plans to use in its planning for the development of new utility systems on Guam, we interviewed officials with the Joint Guam Program Office, Naval Facilities Engineering Command, and other key stakeholder organizations and reviewed reports, studies, briefings, and other documentation related to the program. We developed a table of the key steps needed to implement utility solutions based on our audit work and

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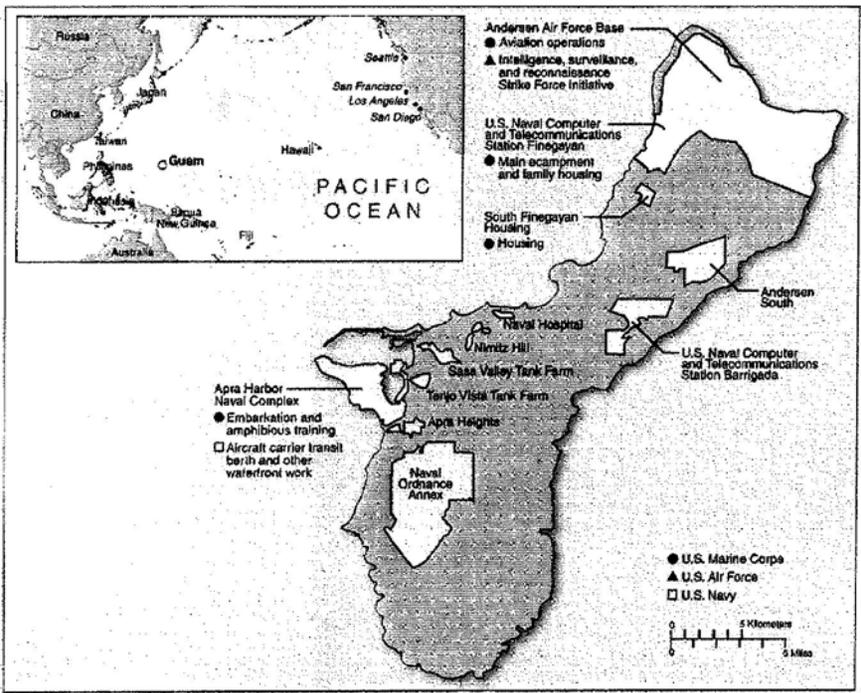
discussed and reached concurrence with Joint Guam Program Office officials on the contents of the table. To establish criteria to use in assessing DOD's planning efforts for new utility services on Guam, we reviewed our prior reporting and related studies, as well as outside studies, to identify best practices and key elements of successful planning. We identified a plan as an important element of successful planning to increase transparency of an organization's efforts among stakeholders and to help improve an organization's overall management of its efforts. Such a plan would include information on milestones and schedules, costs, financing and budgets, goals and objectives, projects and activities, organizational responsibilities, implementation strategies, and potential risks, challenges, and other factors that could affect implementation. We conducted this performance audit from June 2008 through May 2009 in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives. See appendix I for more information on our scope and methodology.

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## Background

Because of Guam's unique strategic location, the United States has long maintained a significant military presence on the island to support and defend its interests in the western Pacific Ocean region. The small remote U.S. territory is located about 1,600 miles east of Manila in the Philippines, 1,560 miles south of Tokyo, Japan, and 3,810 miles west of Honolulu, Hawaii (see fig. 1). DOD currently controls about 29 percent of the land, which is about 62 square miles of the island's total 212 square miles. The U.S. military presently operates two major installations on Guam: the U.S. Naval Base-Guam, located on the southwestern side of the island at Apra Harbor, and Andersen Air Force Base in the north.

Figure 1: Map of the Territory of Guam and Location of Current and Projected U.S. Military Installations



Sources: U.S. Marine Corps, U.S. Navy, U.S. Air Force, U.S. Army, GAO and Map Resources.  
 Note: The location of the Army's air and missile defense task force on Guam has not yet been determined.

To reduce the burden of the U.S. military presence on Japanese communities while maintaining a continuing presence of U.S. forces in the region, the U.S.-Japan Defense Policy Review Initiative<sup>6</sup> established a framework for the future of U.S. force structure in Japan, including the relocation of American military units in Japan to other areas, including Guam. As a part of this initiative, DOD plans to move 8,000 Marines and their estimated 9,000 dependents from Okinawa, Japan, to Guam by the 2014 goal. Separate from the initiative, the United States also plans to expand the capabilities and presence of Navy, Air Force, and Army forces on Guam over the next several years. As a result of this planned realignment of U.S. forces, the military population on Guam is expected to grow by over 160 percent, from its current island population of 15,000 to over 39,000 by 2020. As shown in table 1, most of the population growth is related to the Marine move. It also shows that about 58 percent (about 14,080) of the total planned increase of 24,402 in military personnel and dependents from all of the military services is expected to be reached by 2014. Most of the extensive population growth and development resulting from the buildup will occur in the northern half of the island, primarily in the northwestern portion where DOD currently plans to construct a new Marine Corps base at Finegayan. The populations of each of the other military services would also increase as a result of DOD plans to expand its operations and presence on Guam. For example, the Navy plans to enhance its infrastructure, logistic capabilities, and waterfront facilities, including capabilities to support forward-based submarines and a transient nuclear aircraft carrier; the Air Force plans to develop a global intelligence, surveillance, and reconnaissance strike hub at Andersen Air Force Base; and the Army plans to place an Army air and missile defense task force on Guam. Joint Guam Program Office officials, however, told us that the currently projected schedules and levels of population growth and force structure could change as buildup plans are further refined and approved.

<sup>6</sup> DOD officials refer to the process through which the United States and Japan negotiated the initiatives that realign U.S. forces in Japan as the Defense Policy Review Initiative. The realignment initiatives were the result of Security Consultative Committee meetings in 2005 and 2006 between U.S. and Japan officials. The Security Consultative Committee is made up of the U.S. Secretaries of State and Defense and Japan's Minister of Foreign Affairs and Minister of State for Defense. The committee sets overall bilateral policy regarding the security relationship between the United States and Japan. The results of these meetings established a framework for the future U.S. force structure in Japan, including the Marine Corps move from Okinawa, Japan, to Guam.

**Table 1: Projected Military Population Growth by Service from 2009 through 2020**

Year	Number of military personnel and dependents by military service <sup>a</sup>						Total
	Marine Corps	Air Force	Navy	Army	Coast Guard	Special Operations Forces	
2009	5	5,095	9,580	80	320	0	15,080
2014	10,895	7,451	10,130	130	504	50	29,160
2020	17,557	7,851	10,930	1,660	504	980	39,482
<b>Total increase over period 2009-2020</b>	<b>17,552</b>	<b>2,756</b>	<b>1,350</b>	<b>1,580</b>	<b>184</b>	<b>980</b>	<b>24,402</b>

Source: Joint Guam Program Office.

Note: According to the Joint Guam Program Office, the projected military population shown in this table—which varied somewhat among utility studies—was used in developing the utility technical feasibility studies conducted by the program office and Naval Facilities Engineering Command to estimate utility system demand and capacity increase for the military buildup. While the estimated population and schedule for growth may change as plans evolve, the projected growth in population is considered to be the currently accepted estimates for planning purposes by the program office.

<sup>a</sup>The population growth shown in the table excludes transient military personnel that will visit Guam for brief periods.

To keep pace with the projected growth in the military's population on Guam, DOD has determined that substantial upgrades to the island's existing utilities infrastructure are required for electric power generation, potable water production, wastewater collection and treatment, and solid waste collection and disposal to provide the additional utility capacities and services. In August 2006, the Deputy Secretary of Defense established the Joint Guam Program Office, within the Office of the Assistant Secretary of the Navy for Installations and Environment, to lead the coordinated planning efforts among DOD components and other stakeholders to consolidate, optimize, and integrate the existing DOD infrastructure on Guam to meet requirements associated with the relocation of Marine Corps forces from Okinawa, Japan, and the department's joint basing initiative.<sup>6</sup> The Navy's Joint Guam Program Office, in cooperation with the Naval Facilities Engineering Command, conducted a number of technical studies and business case analyses to evaluate potential solutions for meeting the increased demand for utility

<sup>6</sup> Joint basing refers to a recommendation from the 2005 Base Realignment and Closure process that DOD develop a joint region on Guam which will realign installation management functions at Andersen Air Force Base to the Commander, U.S. Naval Forces Marianas. The joint basing initiative is intended to eliminate duplication in base support among installation services capabilities, such as utilities. Joint Region Marianas, Guam, was established January 31, 2009.

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services. The studies considered a range of solutions in each utility sector that would either provide dedicated utilities for the new Marine Corps base only, dedicated utilities that would service only islandwide DOD demands, or upgrade government of Guam systems to meet islandwide DOD demands. The studies then ranked the potential solutions to determine the most likely solutions in each sector. With the exception of solid waste, DOD envisions that the selected solutions would be implemented by a special purpose entity or entities, which would participate in a public-private venture with private sector owners, developers, and operators and public sector stakeholders<sup>7</sup> to provide the technical expertise in constructing and operating the utility. DOD would then pay a negotiated set of rates to this special purpose entity for the services its uses.<sup>8</sup> However, the exact form of this business arrangement and the level of involvement by public sector stakeholders have yet to be determined.

Based on our audit work, we developed table 2, which shows the key steps that the Navy's Joint Guam Program Office confirmed for us that they plan to follow to identify requirements, examine potential solutions, and implement activities to develop and construct the utility infrastructure needed by DOD to support the expanding military population on Guam.

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<sup>7</sup> According to the Joint Guam Program Office, it is anticipated that the special purpose entity will be funded by a mix of public and private funding.

<sup>8</sup> The Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 states that it is the sense of Congress that the proposed utility infrastructure improvements on Guam should incorporate the civilian and military infrastructure into a single grid to realize and maximize the effectiveness of the overall utility system, if appropriate cost-sharing and quality standards are met. See Pub. L. No. 110-417 § 2821(c) (2008). DOD has not yet determined whether a single entity or multiple special purpose entities would construct and operate the new utility systems.

**Table 2: Key Steps that DOD Plans to Use to Increase Utility Infrastructure Capacities on Guam**

Examine the condition and capacities of the existing Guam utility infrastructure.
Initiate a series of technical studies and business case analyses to determine preferred technical alternatives and associated business models for meeting future utility requirements, including <ul style="list-style-type: none"><li>breakpoint analysis regarding the capabilities of existing utilities on Guam and timeline for exceeding those capacities,</li><li>examination of interim utility alternatives designed to meet construction needs,</li><li>examination of long-term utility alternative designed to meet the needs of relocated Marine Corps forces and associated DOD growth, and</li><li>additional studies as required.</li></ul>
Confer and coordinate with applicable stakeholders, including DOD service components, federal regulatory agencies, private entities, the government of Japan, the government of Guam, Consolidated Commission on Utilities, Guam Power Authority, and Guam Water Authority to gain concurrence in concept on proposed interim and long-term solutions and proposed business models.
Complete the environmental impact statement and record of decision, required by the National Environmental Policy Act. <sup>4</sup>
Identify funding sources and develop procurement strategies to implement interim and long-term solutions, including the consideration of special purpose entities and other means to meet increased demand.
Develop plans and schedule for implementation of interim solutions and construction of long-term utilities solutions.
Monitor implementation.

Source: GAO analysis of data provided by DOD.

<sup>4</sup>An environmental impact statement must include a purpose and need statement, a description of all reasonable project alternatives and their associated environmental impacts (including a "no action" alternative), a description of the environment of the area to be affected or created by the alternatives being considered, and an analysis of the environmental impacts of the proposed action and each alternative. 40 C.F.R. § 1502.13-1502.16.

The program office also works closely with the governments of Japan and Guam, federal agencies, and Congress to manage the comprehensive buildup development effort. It has additional responsibilities for synchronizing funding among DOD components to meet critical timelines in development efforts on Guam and for coordinating DOD's conduct of an environmental impact statement for moving the Marines to Guam. The Joint Guam Program Office also receives assistance from the Naval Facilities Engineering Command in conducting analyses, determining criteria and requirements, and developing an acquisition strategy in planning for infrastructure needed to support DOD's operational requirements.

Additionally, the Naval Facilities Engineering Command, in partnership with the program office, the services, and other DOD stakeholders, is developing the Guam Joint Military Master Plan that will form the baseline for military construction budget planning and facility and utility designs and provides a top-level view of the size and type of facility requirements, candidate and preferred land sites, and proposed use of the land to meet the requirements for new personnel and forces planned for Guam. It will

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also describe the planning efforts for construction and development activities related to the buildup to ensure that buildings, utilities, roads, and other infrastructure are built in a compatible manner. The master plan, however, will not include a specific, detailed plan on DOD's utility efforts for Guam. The master plan is expected to be completed shortly after a record of decision for the environmental impact statement that is currently planned to be signed in January 2010, and will be submitted to Congress when approved.

The government of Japan is anticipated to provide \$6.09 billion, in U.S. fiscal year 2008 dollars, of the estimated \$10.27 billion cost of developing facilities and infrastructure for the Marine relocation to Guam. Of the \$6.09 billion, \$740 million is anticipated to be provided by Japan in recoverable financing for development and construction of related utility infrastructure for the Marines.<sup>9</sup> However, specific allocation of the \$740 million among the four utility sectors has not yet been worked out between the U.S. and Japanese governments.

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### Guam's Existing Utility Infrastructure Is Not Sufficient to Meet DOD's Projected Utility Requirements without Further Upgrades

Projected requirements for utilities to serve the growing Guam civilian and U.S. military population over the next decade exceed available capacities of existing DOD and municipal systems, and DOD is evaluating possible options for supporting the expansion of these systems to meet future needs. While generally meeting current DOD and island requirements, existing utility systems—electric power generation, potable water production, wastewater collection and treatment, and solid waste collection and disposal—are largely operating at or near their maximum capacities and have limited reserve capacities to meet a significant new growth in demand for services. While DOD systems are relatively well-maintained, systems operated by Guam utility authorities have experienced a number of operational and regulatory compliance issues that could affect plans for increasing their capacities.

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<sup>9</sup> In addition to the \$740 million, the government of Japan is anticipated to provide \$2.55 billion in financing, of which \$2.1 billion would be recoverable, for the development and construction on family housing for Marine Corps families. The government of Japan is also expected to provide \$2.8 billion for construction of general administrative buildings, instruction buildings, barracks, and quality of life facilities.

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**Existing Utility Systems Have Limited Spare Capacity and Significant New Infrastructure Is Needed to Support Planned DOD Growth**

The Joint Guam Program Office has determined that significant increases to existing utility system capacities in all four sectors will be needed to meet the demands of the expanding military population on Guam. Utility systems on Guam—operated by either DOD or Guam utility authorities—are capacity constrained and limited in their ability to satisfy growth in demand for services (see app. III for information on the current providers of utility services on Guam). Over the past 2 years, the Joint Guam Program Office has conducted a series of technical studies and business case analyses to identify reasonable alternatives and determine best business solutions for expanding each of the utility systems to meet interim and long-term demands. However, the final long-term solution for some systems will not be known until the special purpose entities, which will design, construct, and operate the new utility infrastructure, are selected and the precise business arrangements are negotiated. Further, depending on the form of business arrangement and level of involvement of public and private stakeholders, DOD may not possess statutory authority at this time to implement certain potential aspects of this plan, such as the authority to invest U.S. government resources into a special purpose entity for the purpose of improving a utility system outside the jurisdiction of the department. DOD officials told us that they are currently working with the Office of Management and Budget to formulate a legislative proposal that they hope will enable DOD to implement certain potential aspects of this special purpose entity construct. Additionally, DOD has determined that certain operating inefficiencies, outstanding deficiencies, and issues related to compliance with environmental regulations in the existing infrastructure—especially related to those systems operated by Guam utility authorities—would need to be addressed to implement some of its potential solutions. While Guam's local utility authorities have taken significant actions to improve their systems over the past several years, many improvements and corrective actions remain to be taken.

**Electric power generation**

DOD's power demands are estimated to increase by approximately 233 percent—from 48 to 160 megawatts peak power. The Guam Power Authority's electric power system—which currently serves all DOD activities on Guam—is operating at capacity meaning that new generating equipment will be needed to satisfy the increased DOD power load. In order to reliably satisfy the increased load, an estimated 170 megawatts of new generation capacity will be needed in addition to the 550 megawatts of generation capacity currently installed as part of the authority's system.

which is a 31 percent increase.<sup>10</sup> Table 3 summarizes DOD's current and expected future demand for electric power.

**Table 3: Estimated Effect of DOD Growth on Electric Power Utility System (As of May 2009)**

Current service provider	DOD demand (megawatts)			System capacity (megawatts)			Comment
	Current	Future	Increase	Current	Future	Increase	
Guam Power Authority	48	160	112	550	720	170	According to DOD's analysis, Guam Power Authority needs to provide 1.52 megawatt of capacity for every 1.0 megawatt of demand load. This means that 170 megawatt of new generation capacity is expected to be needed to satisfy DOD's 112 megawatt demand increase. Values represent peak power measures.

Source: GAO analysis of DOD technical study and business case analysis for meeting the electrical requirements on Guam.

Note: The "future" columns represent the total demand load and associated system capacity that will be needed by 2020.

The Guam Power Authority's electric power system has experienced reliability problems over the years such as frequent power outages. A May 2008 Guam Chamber of Commerce report indicates that the authority has improved the reliability of its system over the past 10 years, in part, by entering into public-private partnerships with independent power producers to provide new generation facilities. However, the study noted that the system is still using obsolete and expensive generation that affects the overall reliability of the system. For example, DOD's technical study indicates that the generators that provide approximately 50 percent of Guam Power Authority's base capacity date back to the mid-1970s. In addition, according to the Guam Power Authority Generation Resource

<sup>10</sup>Although the installed generation capacity in Guam Power Authority's plants is approximately 550 megawatts, the current available generation capacity is 485 megawatts. This difference is largely related to units out service for extended periods of time and units not available to be scheduled into the generation capacity. To maintain system reliability standards, Guam Power Authority needs to provide 1.52 megawatts of capacity for every 1.0 megawatt of demand load, according to DOD analysis. The reserve capacity allows for generators to be taken out of service for maintenance and provides an emergency source of power. Therefore, to meet the expected 112 megawatt increase in DOD demand load, 1.52 times this amount, approximately 170 megawatts, of new generation capacity is needed.

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Handbook, Fiscal Year 2008, the authority's existing operations are constrained by the environmental operating permits issued for each power plant. Combined, these factors result in inefficiencies such as units being out of service for extended periods of time or simply unavailable for production.

DOD's preferred long-term technical solution for meeting the increased power demands is to maximize operating efficiencies by expanding Guam Power Authority's electric power system capacity from 550 to 720 megawatts. This solution would involve constructing a separate power plant that could supply new power to Guam Power Authority's grid.<sup>11</sup> Additionally, DOD is examining possible renewable energy systems, such as geothermal and solar power systems, to complement power provided by its preferred long-term solution and help achieve future goals related to renewable energy.<sup>12</sup>

To meet interim needs until the long-term solution is operational, DOD is considering options that include a combination of Guam Power Authority and DOD assets. By refurbishing idle generators at several existing plants on the island, DOD estimates that the authority could temporary provide up to 60 megawatts of additional power. In addition, DOD estimates that it could provide another 30 megawatts of temporary power by upgrading stand-by generators at a DOD-owned plant and using mobile generators.

#### Potable water production

DOD potable water maximum daily demand is expected to increase by approximately 100 percent from 14.5 to 29.3 million gallons per day. The majority of the demand growth results from the planned concentration of Marine Corps personnel around the U.S. Naval Computer and Telecommunications Station in northern Guam, where demand is expected to grow from 0.4 to 12.1 million gallons per day. In addition, DOD growth at Andersen Air Force Base and Apra Harbor is expected to result

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<sup>11</sup>Options for the separate power plant include configurations whereby (1) DOD loads are primarily satisfied by the new plant with excess power delivered to the Guam Power Authority grid, (2) power is provided primarily to the authority's grid with DOD loads being satisfied by the authority, and (3) DOD loads are satisfied by the new plant that operates independently of the Guam Power Authority grid.

<sup>12</sup>For example, section 2011(e) of Title 10, U.S.C., states that it shall be DOD's goal to produce or procure not less than 25 percent of the total quantity of electric energy it consumes within its facilities and in its activities during fiscal year 2025 and each fiscal year thereafter from renewable energy sources as defined in section 203(b) of the Energy Policy Act of 2005 (42 U.S.C. 15852(b)).

in demand increasing from 3.4 to 5.2 million gallons per day and from 10.7 to 12.0 million gallons per day at these respective locations. To meet the growth in demand, production from the Navy's water system would need to increase from the current level of 18.4 million gallons per day to 34.6 million gallons per day, an increase of 88 percent.<sup>41</sup> Table 4 summarizes DOD's current and expected future demand for potable water on Guam.

**Table 4: Estimated Effect of DOD Growth on Potable Water Utility System (As of May 2009)**

Current service provider	DOD demand (million gallons per day)			System capacity (million gallons per day)			
	Current	Future	Increase	Current	Future	Increase	Comment
Navy-operated system	14.5	29.3	14.8	18.4	34.6	16.2	Planned 34.6 million gallons of water per day capacity is based on expected 29.3 million gallons of water per day demand plus the size of the largest well in areas where the supply is from well sources. This is a safety factor to ensure that the system will continue to meet demand during circumstances where wells are out of service due to maintenance or other operational issues. DOD demand represents maximum daily values.

Source: GAO analysis of DOD technical study and business case analysis for meeting the potable water requirements on Guam.

Note: The "future" columns represent the total demand load and associated system capacity that will be needed by 2020.

DOD's preferred long-term solution for meeting expected growth in demand is to increase the production capacity of the Navy-owned water system by optimizing use of existing and developing new pumping, treatment, storage, and distribution facilities. While obtaining water from Guam Waterworks Authority's system was considered by DOD consultants, their studies determined that DOD should maintain an independent system which can meet DOD needs. However, DOD is

<sup>41</sup>Prior to consolidating under DOD's joint basing initiative, the Navy and Air Force operated separate water systems that served all DOD needs on Guam. As a result of the consolidation which placed all base operating functions under Navy control, we refer to the water system as being Navy-owned.

Wastewater collection and treatment

working with the Guam Waterworks Authority to develop a long-term integrated water resource plan for the island. To increase the capacity of and operate its water system, DOD officials are considering a solution whereby a special purpose entity would implement the utility solutions. To meet interim needs until long-term solutions are in place, DOD expects to be able to phase in new capacity development to match the pace of the expected population growth.

DOD wastewater volume is expected to increase by approximately 275 percent from average flows of 1.2 to 4.5 million gallons per day. This increased wastewater flow will be concentrated in northern Guam—where the majority of the new military population is expected to be located—and will likely be treated at Guam Waterworks Authority's Northern District Wastewater Treatment Plant.<sup>14</sup> As the only treatment facility in northern Guam, the plant serves both military (Andersen Air Force Base and U.S. Naval Computer and Telecommunications Station Finegayan) and civilian populations. It is currently designed to process 12 million gallons per day on average with a peak capacity of 27 million gallons per day. Increased wastewater flows resulting from both the military buildup and the expected growth in Guam's civilian population are expected to result in future total flows to the plant of approximately 17.6 million gallons per day on average with a peak of 35 million gallons per day. Based on the increased flows, the plant's treatment capacity would need to be expanded by 50 percent (from 12 to 18 million gallons per day on average and from 27 to 40.4 million gallons per day at peak). Table 5 summarizes the current and projected future DOD demand for wastewater treatment on Guam.

<sup>14</sup> The Northern District Wastewater Treatment Plant on the northwestern coast of the island was commissioned in 1979 and is the largest of the Guam Waterworks Authority's sewage treatment facilities. It currently uses only primary treatment (physical removal of floatable and settleable solids) and disposes of treated effluent through an outfall into the Philippine Sea.

**Table 5: Estimated Effect of DOD Growth on Wastewater Treatment Utility System (As of May 2009)**

Current service provider	DOD demand (million gallons per day)			System capacity (million gallons per day)			Comment
	Current	Future	Increase	Current	Future	Increase	
Guam Waterworks Authority	1.2	4.5	3.3	12 (27 peak)	18 (40.4 peak)	6 (13.4 peak)	Guam Waterworks Authority's Northern District Wastewater Treatment Plant currently processes 1.2 million gallons of water per day of wastewater generated by military installations in northern Guam. This plant—capable of treating 12 million gallons of water per day of wastewater—may be expanded to treat the estimated 17.6 million gallons of water per day of wastewater that will be generated as a result of the military buildup and anticipated growth in Guam's civilian population. Values represent average flows unless otherwise indicated.

Source: GAO analysis of DOD technical study and business case analysis for meeting the wastewater treatment requirements on Guam.

Note: The "future" columns represent the total demand load and associated system capacity that will be needed by 2020.

The Guam Waterworks Authority's wastewater treatment system continues to have a number of deficiencies that result from the effects of natural disasters, poor maintenance, and vandalism. The authority is currently operating under a stipulated order because of issues related to compliance with environmental regulations.<sup>15</sup> Under terms of the order, the authority is to, among other requirements, submit schedules and plans for certain capital improvements to its system. However, according to the authority's 2007 Water Resource Master Plan, the authority's ability to fund needed capital improvements has been hampered by various factors such as uncollected water and sewer bills and excessive emergency repair costs resulting from deferred spending for facility repairs and failure to maintain stocks of critical repair parts. In particular, the master plan notes

<sup>15</sup> *United States of America v. Guam Waterworks Authority and the Government of Guam*, No. 02-00035, Stipulated Order for Preliminary Relief (D. Guam June 5, 2003). The stipulated order requires the authority to, among other matters, develop and submit a water and wastewater master plan and to submit schedules and plans for several different specified projects.

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that the Northern District Wastewater Treatment Plant is in severe critical need of upgrading and equipment replacement. In addition, the treatment plant may need capital improvements that would enable it to become a secondary treatment facility.<sup>16</sup> According to the Guam Waterworks Annual Report for Fiscal Year 2006, in January 2007 the authority contracted with a private company—Veolia LLC—to manage and operate its wastewater system.

DOD's preferred long-term technical solution is to have a special purpose entity that would expand the Guam Waterworks Authority's Northern District Wastewater Treatment Plant, and according to DOD officials, upgrade the plant as required by regulatory authorities to process the expected increase in wastewater flows. If the option of using this plant is not possible, a separate wastewater treatment plant may be necessary to meet DOD's needs.<sup>17</sup> To meet its interim needs until the long-term solution is operational, DOD is working with the Guam Waterworks Authority to use the Northern District Wastewater Treatment Plant which, according to Joint Guam Program Office officials, may include expanding the treatment capacity of the plant. In addition, according to the program office, DOD is working with the Guam Waterworks Authority to consider ways to process wastewater generated by the growing construction workforce which will be on the island in advance of the arrivals of DOD personnel and dependents.

Solid waste collection and disposal

Solid waste generation resulting from the increased DOD population on Guam is expected to grow by approximately 230 percent from 16,000 to 53,000 tons per year. Table 6 summarizes the current and projected future DOD demand for solid waste disposal on Guam.

<sup>16</sup>According to officials in the Joint Guam Program Office, this may be a requirement from the Environmental Protection Agency for the Guam Waterworks Authority even without the military buildup.

<sup>17</sup>Options for the separate wastewater treatment plant include (1) constructing a new facility with its own outfall near the proposed DOD development and (2) building a new facility at the Northern District Wastewater Treatment Plant site to treat DOD wastewater flows only and using the existing plant's outfall.

**Table 6: Estimated Effect of DOD Growth on Solid Waste Disposal System (As of May 2009)**

Current service provider	DOD demand (tons per year)			Comment
	Current	Future	Increase	
Navy-operated landfills	18,000	53,000	37,000	The Navy currently operates landfills at Apra Harbor Naval Base and Andersen Air Force Base. These landfills will be used during the initial stages of the military buildup. In 2011, the Navy is expected to stop using these landfills and begin disposing of all its solid waste at a new landfill being constructed by the government of Guam in southern Guam.

Source: GAO analysis of DOD technical study for meeting the solid waste disposal requirements on Guam.  
 Note: The "future" column represents the estimated total amount of solid waste that will be generated by DOD activities in 2020.

To meet the expected solid waste disposal needs, DOD intends to utilize the new Guam landfill being constructed on the southern part of the island by U.S. District Court of Guam-appointed receiver—Gershman, Brickner & Bratton, Inc.—for the Solid Waste Management Division of the government of Guam's Department of Public Works.<sup>18</sup> The new Guam landfill will replace the government of Guam's existing landfill that has been operating over-capacity for over 20 years and has historically been in noncompliance with environmental regulations. According to Joint Guam Program Office officials, DOD is currently in the process of developing a letter of intent with the receiver concerning an outline of the parameters for a future agreement concerning DOD's use of the new landfill. DOD's use of the landfill would require DOD entities on Guam to transport their solid waste from military installations, which are predominately in the northern section of the island, to transfer stations or the new landfill and pay tipping fees<sup>19</sup> to the landfill operator for solid waste disposal services.

Until the new landfill is operational, DOD will continue to use its existing landfills at Apra Harbor, within Naval Base Guam, and Andersen Air Force Base, which have very limited remaining service lives. According to officials in the Joint Guam Program Office, the Apra Harbor and Andersen Air Force Base landfills should be usable through 2018 and 2010, respectively, if current operating practices are followed. In addition, the Air Force is planning an expansion of the Andersen Air Force Base landfill

<sup>18</sup> *United States of America v. Government of Guam*, No. 02-00022 (D. Guam March 17, 2008).

<sup>19</sup> A tipping fee is the charge levied upon a given quantity of waste received at a waste processing facility or landfill.

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to provide 1 to 2 years of additional capacity. The government of Guam's new landfill is expected to be operational in 2011, which would allow DOD to use this facility before exceeding capacities at its own landfill facilities. However, according to the program office, options are being considered to extend the life of the DOD landfills should the new Guam landfill be delayed.

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### **DOD Lacks a Comprehensive Plan for Addressing Several Planning Challenges It Faces in Providing New Utility Services for Guam**

Over the past 3 years, the Navy's Joint Guam Program Office has made progress in leading DOD utility planning efforts to identify requirements and potential solutions to meet future demands, but DOD lacks a comprehensive plan for addressing the many challenges it faces as it moves forward. These planning challenges include the condition of existing Guam utility systems, extent of coordination required among stakeholders, sources of funding, approach chosen to implement solutions, and the schedule for completing key tasks. While DOD recognizes that these challenges could create potential risks for meeting the utility needs of Guam's growing military population, it has not begun development of a comprehensive plan for utilities that provides its stakeholders with specific information on its planning efforts, including critical milestones and schedules, interim and long-term options under consideration, approach to be used for developing and implementing new utility services, costs and financing, and potential utility projects. Without a comprehensive plan for utilities, DOD lacks an important planning tool to use in managing the several challenges it faces and for informing stakeholders, including Congress, on the specific details of its utility planning for Guam.

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### **A Comprehensive Plan is an Important Planning Tool to Increase Transparency and Improve Management of Program Efforts**

The Joint Guam Program Office faces many challenges that could adversely affect its planning efforts as it moves forward to meet the demands of the expanding military population on Guam; however, it has not used a comprehensive plan to help overcome these challenges. Our prior work has shown that a comprehensive plan is an important planning tool for an organization to increase transparency and improve management of its efforts to achieve overall objectives. A comprehensive plan would generally provide stakeholders with specific information on the organization's program, including milestones and schedules, costs, financing and budgets, goals and objectives, projects and activities, organizational responsibilities, and potential risks, challenges, and other factors that could affect implementation of its plans. Such a plan would also generally provide a means to bring together all aspects of an organization's plans into one central document and a source that updates

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information on critical milestones and schedules, and if these are missed, what accommodations are being made.

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#### DOD Faces Five Planning Challenges in Providing New Utility Services for Guam

DOD faces five planning challenges that could create risks that would adversely affect its efforts to provide new utility services when needed to support its growing military population in Guam. These challenges are:

- condition of existing Guam infrastructure affects DOD's selection and implementation of possible utility solutions;
- involvement of a number of stakeholders complicates the DOD's planning process for utilities;
- proposed solutions are likely to require more than one funding source;
- implementation of new approach to upgrade utility services on Guam lacks key details; and
- tight schedule for meeting buildup requirements increases the complexity of utility planning efforts.

Officials in the Navy's Joint Guam Program Office told us that DOD recognizes the potential adverse effect that these challenges could have on its utility program and has taken some actions to address them. For example, the officials said that the program office developed an initial risk-based management approach in 2008 as part of an initiative to examine ways to improve its management effectiveness. Although Joint Guam Program Office officials told us that the approach still needs further refinement, they said the approach is in place and being used to access, mitigate, and monitor risks to its goals.

#### Condition of Existing Guam Infrastructure Affects Selection and Implementation of Possible Solutions

Many of the potential solutions that DOD is considering using to provide the increased capacities and new utility services on Guam would involve either integrating with or using elements of Guam's existing utilities infrastructure. In selecting solutions, various upgrades to the existing infrastructure may need to be made and a number of operating inefficiencies, outstanding deficiencies, and certain regulatory compliance issues would need to be resolved in time for implementation.

Prior to DOD's military buildup decision, the Consolidated Commission on Utilities, Guam utilities authorities, and the government of Guam had done long-term utility planning to upgrade, expand, and repair Guam's power, water, and wastewater systems to support a larger population, according to the chairman of the Consolidated Commission on Utilities. This planning was based on the island's population growing by 25 percent by 2025. Under the current military buildup plans, however, this same level of growth would be achieved by 2014. As a result, some upgrades to its

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existing infrastructure may need to be completed earlier than was originally planned by the Guam utilities partly as result of the buildup. For example, on the basis of its Water Resources Master Plan projections, the Guam Waterworks Authority did not anticipate expanding its Northern District Wastewater Treatment Plant, which currently provides wastewater treatment service to both the civilian population and the military population at Naval Computer and Telecommunications Station Finegayan and Andersen Air Force Base in northern Guam, until 2015. Officials in the Joint Guam Program Office noted that many of these upgrades and repairs in the near-term are also driven by the need to address existing operational and regulatory compliance issues in Guam's utilities regardless of the buildup. According to the officials, for the infrastructure upgrades related to the military buildup, DOD will provide funds through customer fees which will support the Guam Power Authority's and Guam Waterworks Authority's planned activities. For activities which may be implemented earlier than originally planned due to the military buildup, the program office officials stated that the Consolidated Commission on Utilities will coordinate with DOD and Guam's utilities authorities to address such projects.

Additionally, officials from the Governor of Guam's Civilian-Military Task Force<sup>28</sup> told us that the influx of a large force of about 15,000 temporary workers—most of them from outside Guam—required to construct the military's planned facilities will place significant demands on the existing utility infrastructure sooner than the arriving new military personnel and dependents. The government of Guam, Consolidated Commission on Utilities, Guam Power Authority, and Guam Waterworks Authority are in the initial stage of adjusting their long-term plans to fund and to make the necessary improvements and repairs to their utility systems needed to support DOD's buildup plans.

Some solutions that DOD is considering would depend on Guam utility authorities being able to develop new or upgrade existing systems when needed to support military population growth. For example, DOD is considering using a new islandwide landfill that the government of Guam, through a court-appointed receiver, plans to develop and complete by

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<sup>28</sup> According to the Guam Civilian-Military Task Force, the task force was created in 2006 by the Governor of Guam's Executive Order 2006-10 to maximize opportunities for the civilian and military community resulting from increases in military presence, and that one of the task force's responsibilities is to develop a comprehensive master plan that would accommodate the military buildup and relocation of the Marines to Guam.

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mid-2011. DOD plans to be a customer and officials in the Joint Guam Program Office told us that they are in the process of developing a letter of intent with the receiver concerning an outline of the parameters, such as the tipping fee to use the new landfill, for a future agreement. Using the government of Guam's landfill allows DOD to forego developing its own new landfill and close its two existing ones that are nearing the end of their service lives. However, if the completion of the new Guam landfill is delayed, DOD may need to consider other alternatives.

Additionally, selection of some DOD solutions may also depend on whether corrective actions can be taken to address a number of operating inefficiencies, outstanding deficiencies, and regulatory compliance issues with the existing Guam infrastructure in time for implementation. DOD is considering a solution, for example, that would expand and upgrade the Guam Waterworks Authority's Northern District Wastewater Treatment Plant to handle its planned significant increase in treatment capacity. However, the U.S. Environmental Protection Agency has recently issued a notice of proposed action under the Clean Water Act and Environmental Protection Agency regulations containing a tentative decision to deny an application for a renewed variance from certain secondary treatment requirements<sup>21</sup> at the Northern District Wastewater Treatment Plant. The agency's tentative decision has been made available for public comment, and at the completion of the public comment period, the Environmental Protection Agency will consider these comments and make a final decision. DOD officials stated that the resolution of this waiver issue could be further delayed if the agency's final decision is challenged in court by the government of Guam. If implemented, Guam Waterworks Authority and Naval Facilities Engineering Command officials stated that the costs for upgrading to provide secondary treatment could be substantial. Additionally, while not necessarily affecting DOD's selection, other solutions would benefit from improvements made to existing systems by the Guam utility authorities, which are needed independent of the buildup. For example, while significant upgrades are needed to improve Guam Power Authority's aging transmission and distribution system, making

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<sup>21</sup> Secondary treatment is the second step in most waste treatment systems during which bacteria consume the organic parts of the wastes. This is accomplished by bringing the sewage, bacteria, and oxygen together in trickling filters or within an activated sludge process. Secondary treatment removes all floating and settling solids and about 90 percent of the oxygen demand from substances and suspended solids. Disinfection by chlorination is the final stage of the secondary treatment process. The Environmental Protection Agency establishes secondary treatment standards for publicly owned treatment works.

Involvement of a Number of Stakeholders Complicates the Planning Process

these upgrades would also be useful in supporting DOD's future electrical needs.

Stakeholders, which include DOD components, government of Japan, government of Guam, various federal departments and agencies, and private companies, require a significant level of communication and coordination to share information, resolve issues, reach agreements, and make decisions to facilitate effective planning and implementation activities. For instance, DOD would need to reach agreement with the government of Guam's utility organizations, which currently own and operate the utilities, as well as the government of Japan, which is expected to contribute funds toward the utilities, as well as other public and private stakeholders that may contribute funds and expertise to this venture, in order to select and implement utility solutions that involve using a special purpose entity to improve existing Guam infrastructure. Further, depending on the precise business model that is ultimately selected, DOD may not have statutory authority at this time to implement certain potential aspects of this plan, such as the authority to invest U.S. government resources into a special purpose entity for the purposes of improving a utility system outside the jurisdiction of the department. DOD officials told us that they are currently working with the Office of Management and Budget to formulate a legislative proposal that they hope will enable DOD to implement certain potential aspects of this special purpose entity construct. DOD would also need to later negotiate with the special purpose entity that is ultimately selected to determine specific details of its business arrangement in designing, constructing, and operating the new utility systems.

The Joint Guam Program Office communicates and coordinates its activities with a widerange of public sector entities including the government of Japan, government of Guam and its utility organizations, other DOD entities, and U.S. federal departments and agencies, such as the Environmental Protection Agency, and private sector consultants and contractors. The program office, according to officials with the Joint Guam Program Office, has established routine conference calls, meetings, briefings, E-mail, conferences, and other communication methods among the many stakeholders to provide information, discuss planning and issues, coordinate actions, and obtain agreement on a range of activities. Officials with the program office and the government of Japan, for instance, engage in monthly meetings to discuss and share information on the progress of plans and associated activities. Similarly, program office officials meet weekly with various officials in the Naval Facilities Engineering Command, the services, and other federal agencies to discuss

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utility planning efforts and resolve issues. The program also holds frequent meetings with government of Guam organizations and conducts community meetings with the Guam civilian population to discuss concerns and provide information.

However, despite the level of coordination that the Joint Guam Program Office has attempted to maintain, program office officials told us that it is often difficult to satisfy the immediate information needs of all stakeholders. These officials believe this is partly the result of the preliminary nature of utility plans for which studies and other analyses are still being refined, decisions are yet to be made, and funding and specific schedules are still being determined. A transportation engineer with the Federal Highway Administration Region 9 Field Office, who has responsibilities for planning road infrastructure improvements in Guam, told us that without knowing the specific details of utility solutions under consideration, it is difficult coordinating with DOD to identify possible conflicts between planned road and utility improvements, such as new power transmission lines that may encroach on a road's right-of-way, and scheduling of projects. The official also said that the highway administration needs to obtain sufficient information from DOD to ensure that its projects are funded and completed when needed to support the buildup. Officials in the Joint Guam Program Office told us that the program office has provided as much information to its stakeholders when available and that they recognize the difficulty of stakeholders developing their own plans with preliminary data and analyses.

Additionally, Guam utility officials said that while DOD has provided preliminary information on its utility plans, they believe that DOD has not provided the level of detail that is needed for the government of Guam and its utility organizations to do comprehensive utilities planning. The Chairman of the Consolidated Commission on Utilities told us that for the government of Guam to adjust its planning for the buildup, it needs information, such as the final numbers and arrival schedules for DOD personnel and dependents. The Chairman also said that there is a need for closer coordination and involvement between the government of Guam and the Joint Guam Program Office, DOD, and other federal agencies to better integrate their efforts for utilities planning and to obtain funding for their planning efforts and to make the required improvements.

Officials in the Joint Guam Program Office told us that DOD has provided an unprecedented level of information to the government of Guam but many details are still being worked on or pending final decisions. The program office officials said that it would not be appropriate to release

**Proposed Solutions Are Likely to Require More Than One Funding Source**

these details since they are likely to change during ongoing reviews. In February 2009, the Joint Guam Program Office began to provide more specific information on the range of utility proposals under consideration and its preferred solutions to the government of Guam and its utility organizations.

DOD's cost estimates indicate that the total cost for utilities is likely to exceed the amount of utility funding that the government of Japan is anticipated to provide towards the Marine Corps' move to Guam. While the total capital costs of implementing long-term utility solutions are not known at this time, cost estimates for various solutions being examined by DOD indicate that the total cost of implementation could significantly exceed the financing anticipated from the government of Japan. As a result, additional funding would likely need to be obtained from other public and/or private sources to implement its long-term utilities infrastructure plans. Further, DOD will not know the ultimate cost of implementing its long-term utility solutions until the special purpose entity—essentially a service provider of a utility commodity—is established and begins development and design work on utility solutions concepts. However, our review of preliminary cost estimates that were developed as part of DOD's business case studies for each utility sector indicate that implementing various combinations of solutions across the utility sectors could significantly exceed the \$740 million in equity investments and loans tentatively committed by the government of Japan and thereby require additional sources of financing. For instance, while the cost estimates are still preliminary and subject to change as the solutions are refined and developed, our analysis shows that the total cost of implementing long-term solutions across the four utility sectors could range from \$1.35 billion to \$1.79 billion, which would exceed the government of Japan financing by \$614 million and \$1.05 billion, respectively.

Additional funding could come from the United States,<sup>22</sup> the government of Guam, other public and private sources, or a combination of these

<sup>22</sup> However, depending on the precise business model that is ultimately selected, it is unclear whether statutory authority exists at this time to enable DOD to invest U.S. government resources into a special purpose entity for the purposes of improving a utility system outside the jurisdiction of DOD. DOD officials told us that they are currently working with the Office of Management and Budget to formulate a legislative proposal that they hope will enable DOD to implement certain potential aspects of this special purpose entity construct.

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organizations, but the cost of financing from these sources could be higher and more difficult to obtain than the loans provided by the government of Japan through its Japan Bank of International Cooperation.<sup>23</sup> The Joint Guam Program Office, in a written response to us, stated it is likely that Japanese funding will offer lower cost financing than that obtained through the commercial lending market or the business arrangements with special purpose entities. While the Guam Power Authority and Guam Waterworks Authority may be able to provide financing through their capacity to raise public debt, both authorities have had bond ratings that were below investment grade.<sup>24</sup> In December 2008, the bond rating for the Guam Power Authority was upgraded by Standard and Poor's Ratings Services to a rating of medium investment grade because of its sustained trend of improved operational and financial performance. The Guam Waterworks Authority's bond rating was also recently upgraded but still remains slightly below investment grade. Even with better bond ratings, the authorities may still have some difficulty obtaining favorable rates because of the recent downturn in global financial markets. A senior official in the Joint Guam Program Office told us that Guam is in the process of seeking federal aid through grants, loans, and the normal federal budget process to improve its ability to fund its improvements and repairs. The official stated that low-cost rural development loans from the U.S. Department of Agriculture to the government of Guam are being considered as a source of funding to support Guam's utility infrastructure improvements.<sup>25</sup> Additionally, as part of a special purpose entity's

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<sup>23</sup> The Japan Bank for International Cooperation is one of four policy-based financing institutions that are part of the Japan Finance Corporation, which is a public corporation wholly owned by the Government of Japan. In conducting its operations to fulfill its mission of contributing to the sound development of the Japanese and international economy, the bank's role is to complement the financing provided by private sector financial institutions.

<sup>24</sup> When a bond is rated investment grade, its issuer is considered able to meet its obligations, exposing bondholders to minimal default risk, which makes it easier to attract investors and obtain lower interest rates.

<sup>25</sup> In testimony before the U.S. Senate Committee on Energy and Natural Resources on May 1, 2008, the Acting Deputy Assistant Secretary of the Interior for Insular Affairs stated that as is typical for government loan programs, the rural development loans from the U.S. Department of Agriculture require that the government get an appropriation only for the risk associated with the loan rather than the entire loan amount. Loans where there is a reasonable risk of default will have a higher cost than those which typically do not default. For instance, the renewable energy guaranteed loan program has a 10 percent subsidy rate compared to the hardship electric loan program which has a 0.12 percent subsidy rate. Because utilities typically have little risk of default, financing of electric loans is secure and carries a low up-front financing cost on behalf of the federal government.

Implementation of New Approach to Upgrade Utility Services on Guam Lacks Key Details

proposal, the entity could also include funds obtained from loans in the commercial lending market for implementing their utility plans. However, it is not clear what type of rates these investors may be able to obtain under current financial conditions.

With the exception of solid waste collection and disposal, the Naval Facilities Engineering Command plans that a special purpose entity would develop, construct, and operate the new long-term utility infrastructure needed on Guam to meet DOD's future demands for electric power, water, and wastewater. Command officials stated that the entity would likely be a limited liability company or partnership formed for the specific purpose of providing these utility services, which would likely participate in a public-private venture with private sector owners, developers, operators, and public sector stakeholders. While the command, which is responsible for planning and managing construction related activities for the buildup, has often used a public-private venture approach for developing military housing, it has not used this approach before for the development of utilities on the scale envisioned for Guam. Further, DOD may not possess statutory authority at this time to enable DOD to implement certain proposed aspects of this special purpose entity approach, such as the authority to invest U.S. government resources into a special purpose entity for the purposes of improving a utility system outside the jurisdiction of DOD. Additionally, many specific details about the special purpose entity, such as the entity's scope, business and financial arrangements, utility system cost and rate structure, and specific projects have not yet been determined. The entity, or entities, is scheduled to complete implementation of the new long-term utility systems by November 2014, according to the Joint Guam Program Office.

Although officials at the Joint Guam Program Office and the Naval Facilities Engineering Command agree that the lack of specific details at this time about use of the special purpose entity approach creates some uncertainty about implementing utility solutions when needed on Guam, these officials said that the Naval Facilities Engineering Command has gained experience in its public-private ventures for housing that will provide the ability to link the interests and the needs of the stakeholders and derive the best business arrangement to meet DOD's utility needs. The Joint Guam Program Office noted that large-scale public-private housing projects also involve the construction and privatization of significant utility infrastructure. It further stated that developing a revenue-based, commercially acceptable financing structure, with the added dimension of public-private partnership, is a particular skill that the Naval Facilities Engineering Command has gained through its public-

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private venture housing efforts. However, the authorities available under chapter 169 of Title 10, U.S. Code, are available only for the purposes of the Military Housing Privatization Initiative, and as stated above, it is unclear to what extent DOD possesses authority to implement certain proposed aspects of this special purpose entity approach for utilities on Guam.

Joint Guam Program Office officials told us that, while the technical aspects of utility systems and their construction have natural differences from military housing public-private efforts, the Naval Facilities Engineering Command brings together subject-matter expertise from across DOD to address the relevant technical, financing, and business management issues that will arise. In addition to in-house capabilities, the command plans to use outside consultants that have significant experience with public-private efforts. For example, the command has contracted with an economics and real estate development advisory firm to conduct a study that will enable DOD to better understand market conditions affecting potential investments and develop the needed business model. The business model will provide a notional assessment of how a special purpose entity could be organized and operate and would include information on estimated capital costs to construct potential utility systems and forecasted utility rates that would be assessed to recover capital costs and fund the systems' operations and maintenance. The Naval Facilities Engineering Command plans to use the model for developing DOD's request for information to industry to solicit proposals and for negotiating with the selected special purpose entity on the terms and conditions of their utility services agreement.

Tight Schedule for Meeting  
Buildup Requirements  
Increases the Complexity of  
Planning Efforts

Joint Guam Program Office's utility plans entail meeting a number of key milestones and associated events over the next 5 years to complete its environmental impact statement process, select a special purpose entity to develop and implement its long-term, and possibly its interim, solutions, and finish utility construction by November 2014. Keeping pace with this tight schedule not only becomes critically important to meeting the utility needs of the continuously growing military population, but also to the successful execution of schedules for major military construction, movement of Marines and other forces, and other related buildup activities. While the program office has taken some actions to mitigate schedule risks, the schedule for utilities provides little flexibility to accommodate any major adjustments in milestone dates.

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#### **Environmental impact statement completion**

Currently the Joint Guam Program Office is working toward completion of its environmental impact statement for relocating the Marines to Guam. Officials from various offices within DOD, government of Guam, and federal agencies told us that the amount of time allotted for completing milestones within the study is very compressed when compared to other impact studies that are less complex and smaller in scope. The Joint Guam Program Office plans to distribute a working draft of the environmental impact statement to various cooperating agencies and DOD organizations for initial review and plans to release the draft environmental impact statement for a 60-day public comment period in the final quarter of fiscal year 2009. The office intends to issue a record of decision in January 2010 to begin its planned fiscal year 2010 construction program for the buildup on time. Environmental Protection Agency Region 9 officials told us the short period allotted for receiving and resolving comments creates possible risks that federal agencies, such as the Fish and Wildlife Service, may not be able to complete their reviews, and possible environmental challenges from public and private interests could delay approval of the study and affect the implementation of other buildup events.

The tight schedule has also affected how long-term utility solutions were examined during the conduct of DOD's environmental impact statement for the Marine relocation. Because the final size, scale, and specific details of potential utility projects needed to implement the long-term solutions will not be known until they are developed by the selected special purpose entity at a later date, officials from the Joint Guam Program Office told us that the long-term solutions for utilities will be considered at a high level in the environmental impact statement that is planned for completion in 2010. The program office stated that a site specific environmental impact statement for the long term utility solutions will be conducted at a later date, but before DOD enters into any underlying contracts for long term services from the special purpose entity.

#### **Creation of special purpose entity**

The next series of major milestones relate to the selection of a special purpose entity and the creation of a business model whereby the entity would develop, implement, and construct the long-term solutions for electric power, water, and wastewater utilities. As table 7 shows, there are a number of actions that need to be taken to create the special purpose entity for utilities, including development and approval of a business model for the special purpose entity, the evaluation of qualifications and

service proposals, the selection and creation of the entity, and construction. However, according to the Joint Guam Program Office, while the plan is to complete utility construction by November 2014, the program office has not yet finished its coordination within DOD to determine the intervening dates for completing the actions needed to implement the special purpose entity approach and begin design and construction of the potential utility projects. A Joint Guam Program Office official told us that the program office does not believe at this time that the undetermined schedule dates will affect its ability to meet its construction completion date.

**Table 7: Actions Needed to Implement the Special Purpose Entity Approach for Utilities\***

Complete preliminary development of business model for the special purpose entity.
Obtain U.S. government approval of the business model.
Obtain government of Japan approval of business model.
Advertise Request for Qualifications for prospective special purpose entity offerors.
Complete evaluation of requests for qualifications from prospective offerors <sup>†</sup>
Receive proposals from qualified offerors.
Select winning special purpose entity and begin exclusive negotiation, design development, and permitting.
Execute business and/or real estate documents that formalize the agreement between the special purpose entity and the U.S. government for the provision of utility services. Items such as service availability dates and utility rates would be established in the agreement.
Special purpose entity completes site permitting and begins construction.
Special purpose entity completes construction of utilities.
Special purpose entity operates the utilities.

Source: Joint Guam Program Office.

\*DOD officials told us that they are currently working with the Office of Management and Budget to formulate a legislative proposal that would enable DOD to implement certain potential aspects of this special purpose entity construct. Thus, obtaining legislative authority would be a critical step in DOD's ability to implement several aspects of this special purpose entity approach.

†Prospective special purpose entity offerors who meet the qualification criteria will be allowed in a future step to submit proposals to provide utility services.

**Addressing capacities gaps**

The current capacities of existing Guam utility systems will be exceeded by the needs of the continuously growing military population before the special purpose entities can complete new utility construction and be operational by November 2014. The Naval Facilities Engineering Command conducted breakpoint studies for each of the utility sectors to

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predict when utility capacities would be exceeded.<sup>25</sup> Although the predicted breakpoint date varied by utility sector, the studies determined that there are potential deficiencies in electricity, water, and wastewater about 2 years into the Marine Corps relocation effort, which would require interim operating solutions to bridge the gaps in needed capacity until the long-term solutions were in place. Joint Guam Program Office officials told us that to control implementation costs of the utilities, the interim utility solutions are planned as a part of the long-term solutions. As part of DOD's current environmental impact statement study for the Marine buildup, the Naval Facilities Engineering Command stated that they have included an evaluation of these interim solutions for possible environmental impacts. Although the command at this time expects that DOD will bear most of the costs of implementing interim solutions, estimates of these costs have not yet been fully developed. Additionally, the role that the special purpose entity or entities would have in implementing the interim utility solutions has also not been determined.

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**DOD Lacks a  
Comprehensive Plan for Its  
Utility Efforts on Guam**

DOD has not developed and communicated a comprehensive plan for its utility efforts on Guam to use in managing the several challenges it faces and provide its stakeholders, including Congress, with a central source for obtaining specific information on its critical milestones and schedules, interim and long-term options, approach for utilities development, costs and financing for utility projects, and challenges. Officials in the Navy's Joint Guam Program Office told us that while the program office intends to develop a comprehensive utility plan, the pre-decisional nature of the work performed for the environmental impact statement, the pending selection of preferred utility solutions, uncertainty about costs and financing for utility projects, and associated challenges have precluded the plan's development. The Deputy Director of the Joint Guam Program Office also told us that while meeting DOD's mission requirements would be the ultimate goal of such a plan, the program office recognizes that the plan should be developed in collaboration with the government of Guam so that Guam's concerns are sufficiently addressed, and integrated islandwide utility solutions are considered that will benefit Guam residents.

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<sup>25</sup> Breakpoints were developed by matching the supply of the existing utility to the demand from forces (to include service members, contractor support and dependents) at their projected arrival on Guam.

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Nevertheless, without a comprehensive plan for utilities development, DOD does not have use of an important tool to address the risks and uncertainty posed by several critical challenges—the condition of existing Guam utility systems, extent of coordination required among stakeholders, sources of funding, approach chosen to implement solutions, and the schedule for completing key tasks—it faces in carrying out DOD's planning and implementation of utility solutions on Guam. Such a plan would also help increase transparency among stakeholders and improve DOD's overall management of its efforts by providing a central source of consistent, detailed information on various aspects of DOD's planning for utility development to meet future demands on Guam. An opportunity now exists to begin development of a comprehensive plan as DOD completes its environmental impact statement effort and the Guam Joint Military Master Plan is finalized. It is expected that such a plan would evolve in its content and be updated as information is better refined and decisions are made.

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## Conclusions

Expanding the U.S. military presence on Guam by more than two-and-a-half times the current population is expected to put great stress on Guam's infrastructure, especially when significant increases are expected as soon as 2014 with further increases continuing over the next several years to 2020. Although DOD has taken a number of actions to identify its requirements and potential solutions for meeting this significant demand, it has not begun development of a comprehensive utilities plan to use as an important planning tool in managing and informing stakeholders, including Congress, on the several challenges that pose considerable risk to the success of building up the infrastructure to meet the demand and ensure utilities are available when needed. Without sufficient utility services, major construction projects, movement of Marines and other forces, and other buildup activities may fall behind schedule and increase implementation costs due to further compression of the timeline near the end of the implementation period. Congress would also benefit from having an additional source of details on DOD's utility efforts and its progress in addressing planning challenges and implementing utility plans to better inform its decisions and ensure proper congressional oversight of DOD's military buildup on Guam, including the potential need for greater levels of appropriations.

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## Recommendation for Executive Action

Because of the importance that DOD places on developing the utility infrastructure needed to support its planned military buildup on Guam, we recommend that the Secretary of Defense direct the Secretary of the Navy, in consultation with the Joint Guam Program Office and the Naval Facilities Engineering Command, to take the following action:

- Develop a comprehensive plan for DOD's utility development efforts that includes specific information on options under consideration; projected costs; sources of financing and related budget information; schedules with associated critical milestones; the construct for the special purpose entity approach or alternative approaches that would be used to plan, develop, construct, and operate the new utility infrastructure; organizational relationships and associated responsibilities; status of government of Guam actions to improve its existing infrastructure that may have application to DOD plans; and, potential risks, challenges, and other factors affecting implementation of DOD's plans. Additionally, this plan should be:
  - developed in cooperation with the government of Guam;
  - prepared in time so that an initial version of the plan can be included with DOD's submission of its final comprehensive Guam Joint Military Master Plan for the buildup to Congress in 2010;
  - provided to congressional defense committees, with subsequent versions of the plan provided as they become available; and
  - updated, as needed, to adapt to changing circumstances.

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## Agency Comments and Our Evaluation

In written comments to a draft of this report, the Executive Director of the Navy's Joint Guam Program Office agreed with our overall assessment of DOD's planning efforts to increase the capacities and services on Guam to support the planned U.S. military buildup over the next several years and with our recommendation that the Joint Guam Program Office, in consultation with the Naval Facilities Engineering Command, should develop a comprehensive plan that would provide specific information on DOD's utility planning for Guam, information such as options under consideration, projected costs, schedules with critical milestones, and other factors affecting implementation of DOD's plans. The Executive Director also agreed that this plan should be prepared in time so that an initial version of the plan could be included with the department's submission of its final comprehensive Guam Joint Military Master Plan in 2010 and be provided to congressional defense committees, with subsequent versions provided as they are updated. However, while the Executive Director stated in his comments that our recommendation was

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fair because it focuses on DOD's utility development, he suggested we clarify our recommendation so as not to create the impression that DOD's development of a comprehensive utility plan would account for all utility needs on Guam and would need mutual agreement with the government of Guam. While we continue to believe that collaboration with the government of Guam is important because many of DOD's preferred solutions described in this report involve utilization of utilities currently owned and operated by the government of Guam, we have clarified our recommendation, as DOD suggested, to now state that the comprehensive utility plan for Guam should be developed "in cooperation" with the government of Guam rather than "in collaboration." Further, the Executive Director stated that DOD's span of control and influence to resolve overall utilities concerns on Guam is limited. We agree that DOD is limited in its ability to resolve overall utilities concerns on Guam, and have identified the extent of coordination required among stakeholders as a planning challenge throughout this report.

Additionally, the Executive Director stated in his comments that our report was unclear on how a comprehensive plan would increase transparency or what such transparency would entail. He therefore suggested that we modify or consider deleting references to transparency in the report. We have acknowledged in our report that DOD has provided, to the extent possible, a significant amount of information to its stakeholders, including the government of Guam, to provide transparency of its utility efforts. We also stated, however, that a comprehensive plan for utilities is another important planning tool that DOD can use to improve the management of its efforts and provide its stakeholders with detailed, consistent information on its utility planning efforts—thereby providing an additional level of transparency to its stakeholders. Such a plan would also generally provide a means to bring together all aspects of those plans into one central document and a source that updates information on critical milestones and schedules, and if these are missed what accommodations are being made. DOD's preparation of a comprehensive utility plan would also mutually reinforce the utility planning being conducted by the government of Guam to support both the needs of the military buildup and those of the civilian population. As the Executive Director suggests in his comments, an example of a more quantitative method of achieving transparency could be the inclusion of additional review milestones with the government of Guam as the comprehensive plan is being developed. Additionally, we believe that another example would be for DOD to set review milestones with other stakeholders, such as the Environmental Protection Agency and the Federal Highway Administration, in preparing its plan. Such additional

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coordination could help to ensure those stakeholders' mutual interests, plans, and budgets, which support the needs of the military and island populations, are aligned in DOD's plan. For these reasons, we have retained our discussion of transparency in the report.

DOD's comments are reprinted in their entirety in appendix IV. Also, DOD provided technical comments on a draft of this report, which we incorporated as appropriate.

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As agreed with your office, unless you publicly release the contents of this report earlier, we plan no further distribution until 30 days from the report date. At that time, we will send copies of this report to interested congressional committees, the Secretary of Defense, the Secretary of the Navy, and the Governor of Guam. In addition, the report will be available at no charge on GAO's Web site at <http://www.gao.gov>.

If you or your staff have any questions about this report, please call me at (202) 512-4523 or [leporeb@gao.gov](mailto:leporeb@gao.gov). Contact points for our Offices of Congressional Relations and Public Affairs may be found on the last page of this report. Other major contributors to this report are listed in appendix V.



Brian J. Lepore, Director  
Defense Capabilities and Management

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## Appendix I: Scope and Methodology

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To determine the current condition and capacity of Guam's existing utility infrastructure, the military's estimated utility requirements, and potential solutions for meeting the increased demand on the island's utility systems, we obtained and reviewed studies and assessments, briefings, annual reports, and other pertinent documentation prepared by the Department of Defense (DOD), government of Guam, U.S. federal departments and agencies, and private companies. We interviewed and discussed this information with officials at the Department of the Navy's Joint Guam Program Office, Naval Facilities Engineering Command, U.S. Environmental Protection Agency, offices and organizations of the government of Guam, including the Consolidated Commission on Utilities, Guam Power Authority, Guam Waterworks Authority, Department of Public Works, Guam Environmental Protection Agency, and the Guam Civilian Military Task Force. We also spoke with officials of Gershman, Brickner & Bratton, Inc.—the U.S. District Court of Guam appointed receiver for Guam's solid waste collection and disposal operations—to discuss the status of actions being taken to correct outstanding operational deficiencies with solid waste operations and the development of a new landfill in Guam. We discussed electric power approaches and considerations used in the Hawaiian islands with officials at the Hawaiian Electric Company to provide us with a comparative basis for power operations in Guam. We analyzed data on the expected number and timing of military personnel arriving on Guam and reviewed several technical studies, business case analyses, and related studies on the projected utility requirements and associated capacities that would be needed to provide sufficient utility services. We discussed DOD's projected requirements and potential solutions for providing the needed new utility services with the Joint Guam Program Office, Naval Facilities Engineering Command headquarters and its Pacific and Marianas component commands, the U.S. Pacific Command and its Navy, Marine Corps, and Air Force component commands, and U.S. Navy, U.S. Marine Corps, and U.S. Air Force headquarters. We obtained data on the current capacities of Guam's existing utility systems from the Naval Facilities Engineering Command. These data are of undetermined reliability; they were obtained from utility studies that were conducted by the command's contractors who worked directly with the government of Guam and its utility organizations in establishing current utility system capacities and DOD demand and for providing a baseline to determine the extent of additional capacities needed to meet future DOD demands. We used these data in order to consider the planning required to increase the capacities of the existing utilities. Joint Guam Program Office officials told us that the Naval Facilities Engineering Command is in the process of verifying and validating the data used in its technical utility studies.

To determine the extent that DOD has developed a comprehensive plan to address any challenges it faces in its planning for new utility systems, we obtained and reviewed studies, analyses, reports, briefings, planning documents, and other supporting and relevant documentation. We also held discussions with officials at the Joint Guam Program Office, Naval Facilities Engineering Command and its Pacific and Marianas component commands, U.S. Pacific Command and its service component commands, and other DOD organizations and offices. To determine the key steps that DOD plans to use in its planning for the development of new utility systems on Guam, we interviewed officials with the Joint Guam Program Office, Naval Facilities Engineering Command, and other key stakeholder organizations and reviewed reports, studies, briefings, and other documentation related to the program. We developed a table of the key steps needed to implement utility solutions based on our audit work and discussed and reached concurrence with Joint Guam Program Office officials on the contents of the table. To establish criteria to use in assessing DOD's planning efforts for new utility services on Guam, we reviewed our prior reporting and related studies, as well as outside studies, to identify best practices and key elements of successful planning. We identified a plan as an important element of successful planning to increase transparency of an organization's efforts among stakeholders and to help improve an organization's overall management of its efforts. Such a plan would include information on milestones and schedules, costs, financing and budgets, goals and objectives, projects and activities, organizational responsibilities, implementation strategies, and potential risks, challenges, and other factors that could affect implementation. We reviewed the Joint Guam Program Office sanctioned technical studies and business case analyses that were used to develop possible solutions for providing increased utility capacities and services to support the growth in the military population. From these studies we obtained information on potential costs, possible impacts on the existing Guam utility infrastructure, and implementation approaches, which we discussed with Joint Guam Program Office and Naval Facilities Engineering Command officials. To better understand stakeholder relationships, we met with officials within the Joint Guam Program Office, Naval Facilities Engineering Command, Joint Staff, Office of the Secretary of Defense, the Service headquarters, U.S. Pacific Command and its service components, the government of Guam, particularly its utility authorities, U.S. Environmental Protection Agency, and private companies. Regarding the environmental impact statement that is being conducted for the Marine Corps move to Guam, we reviewed planning documents, status reports, and other documentation, which we discussed with officials from DOD

organizations, government of Guam, U.S. Environmental Agency Region 9, as well as other cognizant officials.

Additionally, we obtained information on the Department of the Navy's Fena Reservoir water treatment operations on Guam, the determination process used to establish the rates it charges its customers for water, and the feasibility of consolidating Fena water operations with the Guam Waterworks Authority's water system. We obtained and reviewed briefings, studies, reports, official correspondence, and other pertinent documentation related to the Navy's Fena Reservoir water operations on Guam and the Navy Working Capital Fund, which establishes the procedures used by the Navy to manage the costs of its operations and provides the process for determining water rates. We also discussed this information with appropriate officials at the Naval Facilities Engineering Command Marianas, Naval Facilities Engineering Command Headquarters, Guam Waterworks Authority, and Guam's Consolidated Commission on Utilities. Additionally, we discussed the operational and water rate issues with the Department of the Navy's Naval Audit Service, which was conducting a review of the process used by the Department of the Navy to establish the water rates that it charges the Guam Waterworks Authority on Guam. We obtained and reviewed the Naval Audit Service's final April 2009 report issued on the results of its Guam water rates' review.

We conducted this performance audit from June 2008 through May 2009 in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives. Table 8 shows the organizations and offices we contacted during our review.

**Table 8: Organizations and Offices Contacted during Our Review**

**Washington, D.C., area**

- Joint Guam Program Office, Assistant Secretary of the Navy (Installations and Environment)
- Naval Facilities Engineering Command, Headquarters
- Joint Staff, Logistics Engineering Division
- Office of the Deputy Under Secretary of Defense, Installations and Environment Division
- Marine Corps Headquarters, Defense Policy Review Initiative, Installations and Implementation Branch
- Commander, Navy Installations Command
- Air Force Headquarters
- Naval Audit Service, Department of the Navy
- Garshman, Brickner & Bratton, Inc.

**Oahu, Hawaii, area**

- U.S. Pacific Command, Headquarters
- U.S. Pacific Fleet
- U.S. Marine Forces Pacific
- U.S. Pacific Air Forces
- Naval Facilities Engineering Command, Pacific
- U.S. Department of Transportation, Region 9, Federal Highways Administration
- First Hawaiian Bank
- Hawaiian Electric Company

**Guam**

- Joint Guam Program Office Forward
- Naval Facilities Engineering Command Marianas
- Government of Guam
  - Civilian/Military Task Force, Office of the Governor of Guam
  - Consolidated Commission on Utilities
  - Department of Public Works, Solid Waste Division
  - A.B. Won Pat Guam International Airport Authority
  - Guam Coastal Management Program
  - Guam Power Authority
  - Guam Waterworks Authority
  - University of Guam, Water and Environmental Research Institute of the Western Pacific
  - Guam Environmental Protection Agency

**San Francisco, California, area**

- Environmental Protection Agency, Region 9

Source: GAO.

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## Appendix II: Department of the Navy's Fena Reservoir Water Treatment Operations and Rates on Guam

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During our review we obtained information on the (1) Navy's Fena reservoir water treatment operations, (2) process used by the U.S. Navy to set rates for its military customers and the Guam Waterworks Authority for water obtained and produced from the Navy's Fena reservoir water treatment operations, and (3) feasibility of consolidating the Fena water operations with the Guam Waterworks Authority's water system.

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### Navy's Fena Reservoir Water Treatment Operations

DOD currently produces and provides potable water to meet all of its needs at military installations on Guam. In the northern half of the island, its water comes from a network of wells on DOD land that pumps fresh water from an underground aquifer. In the south, its water is obtained from surface freshwater resources, including the Fena Reservoir, which the Navy constructed in 1951, to provide the primary source of water to Naval Base Guam operations, military personnel, and dependents. Water is pumped from the manmade reservoir and two nearby springs to the Navy Fena Water Treatment Plant where raw water is treated by coagulation, sedimentation, and filtration to reduce turbidity and chlorinated. The plant is the largest and most complex water treatment plant on Guam and, according to the Commanding Officer of the Naval Facilities Engineering Command Marianas, has complied with the Safe Drinking Water Act over the past 5 years, with the exception of a few minor monitoring and reporting issues.

To augment the water supply for civilian residents it serves on Guam, the Guam Waterworks Authority<sup>1</sup> purchases about 3 million gallons of water of the Navy's daily production at its Fena water treatment plant. The purchased water serves the authority's customers in three villages in close proximity to the reservoir and/or its water distribution pipes but can also be conveyed to other customers in its water system. The Navy's plant currently turns out about 9 million gallons of water each day but is capable of producing upwards of 13.5 million gallons each day.<sup>2</sup> According to the Naval Facilities Engineering Command, the Fena water treatment

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<sup>1</sup> The Guam Waterworks Authority, which is a public corporation responsible for the production, treatment, distribution, and sale of drinking water, provides water services to the entire civilian population of Guam. Most of its water—about 70 percent—comes from wells that pump water from the northern aquifer; the remaining 30 percent comes from surface water sources, including rivers and reservoirs (ground level and elevated tanks).

<sup>2</sup> A memorandum of understanding in 1991 between the U.S. government and the government of Guam set the Navy's daily commitment at upwards of 4.30 million gallons of water.

operation on Guam is the only Navy water operation that sells water to an off-base entity.

### Navy's Process for Determining Water Rates

The Navy's water production and distribution systems in Guam are operated through the Navy Working Capital Fund, which is a revolving fund that relies on sales revenue instead of direct congressional appropriations to finance its operations. The fund must recover the full cost of its operations, and rates for its products and services are set so its operations will break even over time, thereby neither making a profit nor incurring a loss.<sup>3</sup> The Navy has used this financing approach for over 30 years for its water operations and as a basis for its water rates for both its military and civilian customers in Guam.

Because gains or losses in revenue may occur as a result of variations in operations, the Navy water rates are adjusted each year to recover the full costs of operations and break even over time. In accordance with normal Navy Working Capital Fund procedures, the Navy's Naval Facilities Engineering Command Marianas initially sets a new water rate for its Fena reservoir operations through its budget process 2 years prior to the fiscal year of execution. The proposed new rate is determined from actual and estimated costs available at the time of development and knowledge of future costs and sales volume events, such as an increase in population or customer base. According to water rate historical data provided by the Naval Facilities Engineering Command Marianas used in preparing its fiscal year 2009 rate, operation costs included direct labor, overhead, material (fuel), depreciation, equipment rental, electricity, hazardous waste disposal, water laboratory testing, engineering support, and contracts for operations and maintenance, minor repairs, ground maintenance, major repairs, data collection, management software, and other services.

The Naval Facilities Engineering Command Marianas reflects the proposed new water rate in its supporting budget documentation that it submits to the Naval Facilities Engineering Command-Pacific for the associated fiscal year budget submission. In turn, the documentation is provided to the Naval Facilities Engineering Command Headquarters, which reviews the documentation and submits it as part of its consolidated budget to the

<sup>3</sup> See 10 U.S.C. § 2208; see DOD 7000.14-R, Department of Defense Financial Management Regulation, Vol. 2B, Ch. 8, § 09010 (Sept. 2008).

Navy's Office of Budget/Business and Civilian Resources Division. Subsequently, the consolidated budget is presented to the Office of the Secretary of Defense's Comptroller. After the Office of the Secretary of Defense's review, a program budget decision is published establishing the new water rate for the associated fiscal year and any needed adjustments are made to the Naval Facilities Engineering Command Marianas' budget.

## Feasibility of Consolidating Navy and Guam Water Systems

In regard to the feasibility of consolidating the Navy's Pena water operations with Guam Waterworks Authority's water system, the Naval Facilities Engineering Command told us that the command has consistently maintained ownership of water rights on Navy land throughout the world and the Navy would like to maintain this right for its reservoir on Navy land in Guam. Further, the Government of Guam recognized the fee simple title and ownership of the United States' real and personal property used by the Navy to produce and distribute potable water, (which includes the Pena Reservoir) in a 2003 Consent Decree.<sup>4</sup> The Commanding Officer of the Naval Facilities Engineering Command Marianas, in an October 2008 letter to the Chairman of Guam's Consolidated Commission on Utilities, stated that the Command sees few engineering, operational, or financial benefits that would result from consolidation. He stated that while the Guam local water system has undergone significant improvements in the quality of its drinking water, the system still has a very high loss rate of approximately 50 percent and continues to lack adequate water transmission and storage infrastructure. In contrast, the Navy water system's loss rate is 17 percent, which is close to the industry standard of 15 percent or less. The commanding officer also stated that the Guam Waterworks Authority's primary water system in northern Guam is largely separate and distinct from the Navy's system. Another Naval Facilities Engineering Command Marianas official told us that most of the authority's water comes from the island's northern aquifer. According to the command, while the water is of sufficient quality to not require treatment, the authority's rates remain higher than those of the Navy, which operates a full water treatment plant. Additionally, the officer told us that because the Pena reservoir is located within the Naval Base Guam Ordnance Annex,<sup>5</sup> there are security, liability, and

<sup>4</sup> *United States of America v. Government of Guam*, No. 99-00102 (D. Guam Apr. 24, 2003).

<sup>5</sup> The Naval Base Guam Ordnance Annex is located approximately 1 mile southeast of the main base. It encompasses nearly 18,000 acres and is a major storage and supply point for many types of weapons. The annex is also the site of the Pena reservoir.

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**Appendix II: Department of the Navy's Fena  
Reservoir Water Treatment Operations and  
Rates on Guam**

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antiterror/force protection concerns that would be raised by nonmilitary ownership of the reservoir.

The Chairman of the Guam's Consolidated Commission on Utilities told us it is the long-term goal of the government of Guam to integrate DOD's and Guam's water systems under the control of the Guam Waterworks Authority. However, the chairman told us that for the time being the government of Guam has shifted its focus to planning for the buildup and looking for opportunities to collaborate with DOD on developing integrated water and wastewater solutions for the buildup. He further stated that the government of Guam would revisit the ultimate integration of the entire system at a later time.

## Appendix III: Current Sources of Utility Services for Civilian and DOD Customers on Guam

DOD current sources of utility services for electric power, potable water, wastewater treatment, and solid waste disposal come from both military- and government of Guam-owned and operated systems. The Guam Power Authority provides DOD with all of its electric power services. The Guam Waterworks Authority provides wastewater collection and treatment services for all of DOD's installations in northern Guam, such as Andersen Air Force Base, but DOD provides its own treatment services for the Naval Base Guam in the south. DOD currently produces all of its own potable water and handles all of its solid waste collection and disposal. Table 9 summarizes the sources of utility services for Guam civilian and DOD customers by utility sector.

**Table 9: Current Source of Utilities Services for Guam Civilian and DOD Customers by Utility Sector**

Utility sector	Customer sector	Current source of utility services
Electric power generation	Guam civilian	<ul style="list-style-type: none"> <li>Guam Power Authority provides all power services.</li> </ul>
	DOD (Navy and Air Force bases) <sup>1</sup>	<ul style="list-style-type: none"> <li>Purchases all of its power services through a customer services agreement with Guam Power Authority.<sup>2</sup></li> </ul>
Potable water production	Guam civilian	<ul style="list-style-type: none"> <li>Guam Waterworks Authority produces most of its own water but purchases some water from the Navy's Fena reservoir water operations.</li> </ul>
	DOD (Navy and Air Force bases)	<ul style="list-style-type: none"> <li>Navy Base Guam and Andersen Air Force Base produce and provide water to all DOD customers.</li> </ul>
Wastewater collection and treatment	Guam civilian	<ul style="list-style-type: none"> <li>Guam Waterworks Authority operates seven wastewater treatment plants and basins that treat wastewater from resident and military customers.<sup>3</sup> An estimated 41 percent of island residents use individual wastewater disposal systems, such as septic tanks.</li> </ul>
	DOD (Navy and Air Force bases)	<ul style="list-style-type: none"> <li>The Navy treats all of its wastewater in southern Guam at its own treatment plant at Naval Base Guam.</li> <li>Guam Waterworks Authority handles wastewater from Andersen Air Force Base and Navy facilities in northern Guam.</li> </ul>
Solid waste collection and disposal	Guam civilian	<ul style="list-style-type: none"> <li>Guam Department of Public Works maintains a single landfill and only provides solid waste services for civilian customers in Guam.<sup>4</sup></li> </ul>
	DOD (Navy and Air Force bases) <sup>1</sup>	<ul style="list-style-type: none"> <li>Joint Region Marianas maintains a landfill at both Navy Base Guam and Andersen Air Force Base and provides solid waste services for the bases.</li> </ul>

Source: DOD and government of Guam.

<sup>1</sup>Beginning January 31, 2009, the Navy Region Marianas assumed responsibility for installation support services, including utilities, on all military bases and DOD facilities on Guam under DOD's joint basing initiative as recommended by the 2005 Base Realignment and Closure Commission, and was designated as Joint Region Marianas, Guam.

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**Appendix III: Current Sources of Utility  
Services for Civilian and DOD Customers on  
Guam**

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<sup>3</sup>According to information provided by DOD officials, the Guam Power Authority supplies power to each DOD facility up to the base transformer; from there, each base is responsible for its on-base power distribution. According to DOD officials, the customer services agreement between the Guam Power Authority and DOD establishes the electrical rates paid to the Guam Power Authority and states that DOD will be a customer of the authority. It further states that the operations and maintenance of the islandwide power system will be the responsibility of the authority. DOD plans to renegotiate the agreement, which is in force until 2012.

<sup>4</sup>According to the Guam Waterworks Annual Report, in January 2007 the authority contracted with a private company—Veolia LLC—to manage and operate its wastewater system.

<sup>5</sup>In March 2008, the U.S. District Court of Guam appointed Gershman, Brickner & Bratton, Inc. as Receiver for Guam's solid waste operations.

## Appendix IV: Comments from the Department of Defense



DEPARTMENT OF THE NAVY  
OFFICE OF THE ASSISTANT SECRETARY  
(INSTALLATION AND ENVIRONMENT)  
1000 NAVY BERTHLEIGH  
WASHINGTON, D.C. 20380-1000

June 25, 2009

Mr. Brian J. Lepore  
Director, Defense Capabilities and Management  
U.S. Government Accountability Office  
441 G Street, N.W.  
Washington, DC 20548

Dear Mr. Lepore:

This is the Department of Defense (DoD) response to the GAO draft report, GAO-09-653, "Defense Infrastructure: Planning Challenges Could Increase Risks for DoD in Providing Utility Services When Needed to Support the Military Buildup on Guam," dated May 29, 2009 (GAO Code 351225). Detailed comments on the report recommendations are enclosed.

We agree with recommendations as a whole. There are two significant items that we recommend adjusting.

On page 16, section "Comprehensive plan ... to increase transparency and improvement management..." Likewise, on page 26, the last paragraph includes reference to "increase transparency." It is not clear what such "transparency" would entail, or how DoD/Joint Guam Program Office (JGPO) could provide better "transparency." The report acknowledges that there has been a significant amount of information shared between DoD/JGPO and the government of Guam and that if information has not been shared, this is due to the information not having been determined yet. We recommend to delete reference to "transparency" or lack of transparency be deleted, or perhaps amplify a more quantitative method of achieving transparency (i.e. including more program review milestones with Government of Guam as the comprehensive plan is being developed).

On page 27, section "Recommendation for Executive Action" indicates that a comprehensive plan for DoD's utility development should be prepared. This recommendation is fair because it focuses on the DoD utility development, however it creates the impression that DoD development of such a plan will account for overall utility needs on Guam. The "span of control and influence" of DoD to resolve utilities concerns on Guam is limited. This plan includes inputs from government of Guam utilities as well as from the Government of Japan. Further, the reference to "collaboration" in the first sub-bullet as to the development of the DoD comprehensive plan implies mutual agreement with government of Guam utilities will be necessary.

Note: Page numbers in the draft report reviewed by agency may differ from those in this report.

Appendix IV: Comments from the Department  
of Defense

DoD recommends to change the wording in the first sub-bullet to read "developed in coordination with the government of Guam."

Thanks for the opportunity to review the draft report.

Sincerely,



David F. Bice  
Executive Director  
Joint Guam Program Office

Enclosure: As stated

GAO DRAFT REPORT – DATED MAY 25, 2009  
GAO CODE 351225/GAO-09-653

"DEFENSE INFRASTRUCTURE: Planning Challenges Could Increase Risks for  
DoD in Providing Utility Services When Needed to Support the Military Buildup on  
Guam"

DEPARTMENT OF DEFENSE COMMENTS  
TO THE RECOMMENDATION

**RECOMMENDATION 1:** The GAO recommends that the Secretary of Defense direct the Secretary of the Navy, in consultation with the Joint Guam Program Office and the Naval Facilities Engineering Command, to develop a comprehensive plan for DoD's utility development efforts. The plan should include: specific information on options under consideration; projected costs; sources of financing and related budget information; schedules with associated critical milestones; the construct for the special purpose entity approach or alternative approaches that would be used to plan, develop, construct, and operate the new utility infrastructure; organizational relationships and associated responsibilities; status of government of Guam actions to improve its existing infrastructure that may have application to DoD plans; and, potential risks, challenges, and other factors affecting implementation of the DoD's plans. Additionally, this plan should be developed in collaboration with the government of Guam; prepared in time so that an initial version of the plan can be included with DoD's submission of its final comprehensive Guam Joint Military Master Plan for the buildup to Congress in 2010; provided to congressional defense committees, with subsequent versions of the plan provided as they become available; and updated as needed, to adapt to changing circumstances.

**DOD RESPONSE:**

DoD concurs with the assessment and recommendation of the GAO. This recommendation is fair because it focuses on the DoD utility development, however it creates the impression that DoD development of such a plan will account for all utility needs on Guam. The "span of control and influence" of DOD to resolve overall utilities concerns on Guam is limited. This plan includes inputs from government of Guam utilities as well as from the Government of Japan.

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## Appendix V: GAO Contact and Staff Acknowledgments

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### GAO Contact

Brian J. Lepore, (202) 512-4523 or leporeb@gao.gov

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### Acknowledgments

In addition to the contact named above, Mark A. Little, Assistant Director; Michael W. Armes; Raj C. Chitkila; Grace A. Coleman; Katherine S. Lenane; Mahender Dudani; Patrick E. Peterson; and Mark J. Wielgoszynski, Analyst-in-Charge, made major contributions to this report.

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## Related GAO Products

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*High-Level Leadership Needed to Help Guam Address Challenges Caused by DOD-Related Growth*, GAO-09-500R, Washington, D.C.: April 9, 2009.

*Defense Infrastructure: Opportunity to Improve the Timeliness of Future Overseas Planning Reports and Factors Affecting the Master Planning Effort for the Military Buildup on Guam*. GAO-08-1005. Washington, D.C.: September 17, 2008.

*Defense Infrastructure: High-Level Leadership Needed to Help Communities Address Challenges Caused by DOD-Related Growth*. GAO-08-665. Washington, D.C.: June 17, 2008.

*Defense Logistics: Navy Needs to Develop and Implement a Plan to Ensure that Voyage Repairs are Available to Ships Operating Near Guam When Needed*. GAO-08-427. Washington, D.C.: May 12, 2008.

*Defense Infrastructure: Planning Efforts for the Proposed Military Buildup on Guam Are in Their Initial Stages, with Many Challenges Yet to Be Addressed*. GAO-08-722T. Washington, D.C.: May 1, 2008.

*Defense Infrastructure: Challenges Increase Risks for Providing Timely Infrastructure Support for Army Installations Expecting Substantial Personnel Growth*. GAO-07-1007. Washington, D.C.: September 13, 2007.

*Defense Infrastructure: Overseas Master Plans Are Improving, but DOD Needs to Provide Congress Additional Information about the Military Buildup on Guam*. GAO-07-1015. Washington, D.C.: September 12, 2007.

*U.S. Insular Areas: Economic, Fiscal, and Financial Accountability Challenges*. GAO-07-119. Washington, D.C.: December 12, 2006.

*DOD's Overseas Infrastructure Master Plans Continue to Evolve*. GAO-06-913R. Washington, D.C.: August 22, 2006.

*U.S. Insular Areas: Multiple Factors Affect Federal Health Care Funding*. GAO-06-75. Washington, D.C.: October 14, 2006.

*Results-Oriented Government: Practices That Can Help Enhance and Sustain Collaboration among Federal Agencies*. GAO-06-15. Washington, D.C.: Oct. 21, 2005.

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**Related GAO Products**

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*Opportunities Exist to Improve Future Comprehensive Master Plans for Changing U.S. Defense Infrastructure Overseas.* GAO-05-680R. Washington, D.C.: June 27, 2005.

*Results-Oriented Government: GPRA Has Established a Solid Foundation for Achieving Greater Results.* GAO-04-38. Washington, D.C.: March 10, 2004.

*Environmental Cleanup: Better Communication Needed for Dealing with Formerly Used Defense Sites in Guam.* GAO-02-423. Washington, D.C.: April 11, 2002.

*Compact of Free Association: Negotiations Should Address Aid Effectiveness and Accountability and Migrants' Impact on U.S. Areas.* GAO-02-270T. Washington, D.C.: December 6, 2001.

*Foreign Relations: Migration From Micromesian Nations Has Had Significant Impact on Guam, Hawaii, and the Commonwealth of the Northern Mariana Islands.* GAO-02-40. Washington, D.C.: October 5, 2001.

*Overseas Presence: Issues Involved in Reducing the Impact of the U.S. Military Presence on Okinawa.* GAO/NSIAD-98-66. Washington, D.C.: March 2, 1998.

*U.S. Insular Areas: Development Strategy and Better Coordination Among U.S. Agencies Are Needed.* GAO/NSIAD-94-62. Washington, D.C.: February 7, 1994.

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*Adopted*  
*1/10/10*

# I MINA' TRENTA NA LIHESLATURAN GUAHAN

2010 (SECOND) Regular Session

Date: 2/10/10

## VOTING SHEET

Bill No. \_\_\_\_\_

Resolution No. 275-30(15)

Question: \_\_\_\_\_

NAME	YEAS	NAYS	NOT VOTING/ ABSTAINED	OUT DURING ROLL CALL	ABSENT
ADA, Thomas C.	✓				
AGUON, Frank B., Jr.	✓				
BLAS, Frank F., Jr.	✓				
CALVO, Edward J.B.	✓				
CRUZ, Benjamin J. F.	✓				
ESPALDON, James V.	✓				
GUTHERTZ, Judith Paulette	✓				
MUNA-BARNES, Tina Rose	✓				
PALACIOS, Adolpho Borja, Sr.	✓				
PANGELINAN, vicente (ben) cabrera	✓				
RESPICIO, Rory J.	✓				
TAITAGUE, Telo	✓				
TENORIO, Ray	✓				
WON PAT, Judith T.	✓				

TOTAL                      14    0    0    0    0

CERTIFIED TRUE AND CORRECT:

*[Signature]*  
Clerk of the Legislature

\* 3 Passes = No vote  
EA = Excused Absence



**Thomas C. Ada**  
Senator  
30<sup>th</sup> Guam Legislature  
I Mina'Trenta Na Liheslaturan Guåhan

February 18, 2009

JGPO  
c/o NAVFAC Pacific  
258 Makalapa Drive, Suite 100  
Pearl Harbor, HI 96860-3134

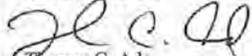
Attention: GPMP

Subject: **Submittal of comments for Draft Environmental Impact Statement (DEIS)**

Enclosed are my comments on the Draft EIS/OIS for the Guam and CNMI Military Relocation.  
Please note that these are re-submittals of comments initially sent online.

Should there be any questions or concerns, please contact my office at (671) 473-3301.

Si Yu'us Ma'ase,



Thomas C. Ada

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Ada Plaza Center, Suite 207 • 173 Aspinall Avenue • Hagåtña, Guam 96910  
Phone: (671) 473-3301 • Fax: (671) 473-3303 • Email: Tom@SenatorAda.org • www.SenatorAda.org

The Office of Senator Thomas C. Ada  
Comments on the Draft Environmental Impact Study  
February 18, 2010

Notes:

- Per request from the Office of the Speaker, this office focused comments on its area of expertise and oversight: Volume 6 (Utilities and Roadways)
- All noted submittal times are based on Guam time.

Comments are as follows:

**Chapter 1**  
(Purpose of and Need for Action)

**COMMENT** (submitted online on Feb 17, 4:10pm)  
Regarding roadway projects, the DEIS states that they "may be funded by FHWA through annual allocations for calendar years 2010 through 2016 and funding requested under the Defense Access Road Program." (Volume 6, Chapter 1, section 1.1.4, page 1-3) This is an insufficient discussion of funding sources, particularly when considering that the average annual Defense Access Road Program funding for the entire country is, cumulatively, \$20 million. More information is needed in order to properly determine whether roadway projects necessitated by the proposed military buildup can be adequately funded, and from which sources.

As such, the final EIS should include an estimate for the anticipated amount of funds that will be allocated from each source.

The final EIS should also include an estimate of the proportion of funding, in relation to the overall funding that will be required by the roadway improvement projects outlined in Volume 6, that can be anticipated from each funding source.

**COMMENT** (submitted online on Feb 17, 4:12pm)  
The DEIS presents Defense Access Road Program (DAR) funding as a viable first option alongside FHWA funding. (Volume 6, Chapter 1, section 1.1.4, page 1-3) This is a misrepresentation, as DAR funding guidelines require that all regular channels of funding first be exhausted.

As such, the final EIS should clearly state that, per DAR funding requirements, DAR projects might only be initiated if the resources available to the FHWA are insufficient to implement them.

**COMMENT** (submitted online on Feb 17, 4:14pm)  
The DEIS discusses Defense Access Road Program (DAR) funding as a viable resource for supporting the military-related roadway projects outlined in Volume 6. (Volume 6, Chapter 1, section 1.1.4, page 1-3) However, there is no discussion as to which military

**K-059-001**

Thank you for your comment. The off-base roadway projects may be funded through the Defense Access Road (DAR) Program and annual allocations through the US Department of Transportation (USDOT) Federal Highway Administration. The Defense Access Road Program provides the means for the Department of Defense (DoD) to pay a fair share for public highway improvements required as a result of a sudden or unusual defense-generated traffic impact or unique defense-related public highway requirement.

Volume 6, Chapter 1 has been updated to include a list of potential DAR projects. The DoD commits to seeking funding for these projects.

The DoD, Guam Department of Public Works and Federal Highway Administration are continuing to work together to identify projects eligible for funding under the DAR program. The DoD will lead an interagency council which includes the USDOT to assist the Government of Guam in seeking funds for projects that are not eligible for the DAR program.

K-059-001

K-059-002

department will take responsibility for requesting that the Military Surface Deployment and Distribution Command (SDDC) pursue DAR funding.

The final EIS should clearly outline the responsibility for pursuing DAR funding for the roadway improvements outlined in Volume 6.

**COMMENT** (submitted online on Feb 17, 4:15pm)

The DEIS discusses Defense Access Road Program (DAR) funding as a viable resource for supporting the military-related roadway projects outlined in Volume 6. (Volume 6, Chapter 1, section 1.1.4, page 1-3). However, there is no discussion as to which roadways projects may potentially be eligible for such funding.

The final EIS should include a section that clearly identifies precisely which roadway projects (or portions of roadway projects) are eligible for DAR funding.

The final EIS should also include the amount of DAR funding that each potentially eligible roadway project may be able to apply for.

**COMMENT** (submitted online on Feb 17, 4:18pm)

The DEIS states that roadway projects may be eligible for Defense Access Road Program (DAR) funding if they meet any of five criteria, one of which is "A defense action would cause traffic to double." (Volume 6, Chapter 1, section 1.1.4, page 1-3)

The DEIS only present traffic congestion and Level-of-Service (LOS) as traffic-related benchmarks. The final EIS should also include volume of traffic associated with each alternative.

Additionally, the final EIS should include a discussion of the viability of pursuing DAR funding if military-related construction activities double traffic LOS instead of traffic volume. For example, slow-moving construction equipment can easily increase LOS to double its previous length of time (even though the slow-moving construction equipment may not constitute a doubling of traffic in-and-of themselves). The final DEIS should outline how this traffic-related benchmark, LOS, if doubled, can be utilized to initiate DAR funding.

K-059-003

**COMMENT** (submitted online on Feb 17, 4:30pm)

The DEIS contains an insufficient analysis of the Least Environmentally Damaging Practicable Alternative (LEDPA). It states: "Chapter 4 of this volume contains an analysis of the least environmentally damaging practicable alternative (LEDPA), as required under... the Clean Water Act (CWA). ...The [CWA] guidelines are applicable to proposed actions that are analyzed in this volume." (Volume 6, Chapter 1, section 1.1.5.1, page 1-5)

However, there is no such discussion in Chapter 4.

**K-059-002**

Thank you for your comment. Please see response to K-059-001.

**K-059-003**

Thank you for your comment. There is a LEDPA discussion in Volume 4, Section 4.3. Volume 7, Section 3.5 summarizes the potential Clean Water Act actions for all alternatives.

K-059-004

The only discussion of LEDPA in Volume 6 occurs in Chapter 6, which states: "Since none of the alternatives involve potential impacts to wetlands as defined in Section 404(b)(1) of the Clean Water Act (CWA), no analysis relative to Section 404 is necessary to identify the least environmentally damaging alternative as defined in the CWA." (Volume 6, Chapter 6, section 6.3, page 6-31)

This is the extent of the CWA-required analysis, and does not contain an explanation of why the alternatives present no potential impacts. This is a questionable assumption given the potential impact of increased traffic-related pollutants on stormwater runoff.

The final EIS should include an adequate LEDPA analysis, as required by the Clean Water Act. This analysis should clearly and thoroughly explain why the proposed military actions present no potential impacts to wetlands.

K-059-005

**COMMENT** (submitted online on Feb 17, 4:32pm)

The DEIS states that impacts can be identified as either "direct impacts and indirect or induced impacts," though "in various cases, [such] effects... may not be discernable as direct and indirect impacts." (Volume 6, Chapter 1, section 1.2, page 1-5) There is no further discussion on how direct or indirect impacts are identified in relation to Volume 6, nor how difficult-to-discern situations are resolved. There is also no identification within Volume 6 of these "various cases" in which impacts that were difficult-to-discern but, perhaps, ultimately categorized one way or another.

To better understand the final EIS proposals for funding responsibility, particularly in regards to the infrastructure and roadways plans outlined in Volume 6, a clearly stated discussion should be included within Volume 6 (and each other volume) to explain how difficult-to-discern categorizations of direct or indirect impacts are handled. An explanation should also be included for how the final EIS determines how to ultimately categorize potentially borderline direct or indirect impacts.

Furthermore, every instance of an impact that was difficult-to-discern shall be clearly identified as such, even if it was eventually categorized as indirect, direct, or induced. Additionally, the rationale for the ultimate categorization for each such borderline case shall be clearly explained.

**Chapter 2 and 3 combined**  
**(Utilities)**

**COMMENT** (Submitted online on Feb 18, early morning)

Regarding Power demand on Guam, the DEIS discusses this in Volume 6, section 2.1 and throughout Chapter 3, and summarizes that GPA's current capacity of 490 MW will be sufficient to provide power through the peak of the buildup and post buildup. However, this summation requires that GPA upgrade current facilities to meet this demand. Unfortunately, the DEIS does not stipulate where the funding resource to make the necessary upgrade would come from. The ultimate burden to upgrade the facilities is place upon the Government of Guam.

**K-059-004**

Thank you for your comment. There is a LEDPA discussion in Volume 4, Section 4.3. Volume 7, Section 3.5 summarizes the potential Clean Water Act actions for all alternatives. Potential impacts to wetlands are identified.

DoD recognizes that additional information to support the LEDPA determination may be needed during the permitting phase of projects.

**K-059-005**

Thank you for your comment. Text within the Final EIS has been added in Volume 1 and Volume 6 to expand the discussion of indirect and induced impacts associated with the proposed military relocation program.

K-059-006

The final EIS should provide these financial commitments from DoD to support the impacts of the military buildup. The upgrades would result in an increase of rates for the civilian population that is already struggling. DoD should share the cost of upgrading GPA facilities since this is a direct result of the military buildup.

K-059-007

**COMMENT** (Submitted online on Feb 18, early morning)

Regarding available potable water for Guam, the DEIS stated in Volume 6, Chapter 2, section 2.2.3.2, that "there is sufficient water supply to meet the anticipated non-DoD water demand, provided that the proposed system expansion is operational in time to meet increased demand." This assumes that the estimated future total of 63.2 MGD would be available from the upgraded infrastructure provided by GWA.

The DEIS stated numerous times within Volume 6 that the utility infrastructure is to be upgraded according to GWA's Water Resource Master Plan (WRMP). However, there is no mention as to a shared cost or funding source that would be provided to GWA to make these improvements. The burden seems to be placed on the Government of Guam to address the influx of customers "outside the fence", even though this increase is a direct result of the action of DoD.

As such, the final EIS should include a section on the shared cost that DoD would provide for GWA to upgrade its facilities to meet the demand generated by the military build up.

K-059-008

**COMMENT** (Submitted online on Feb 18, early morning)

The DEIS presents two water systems, DoD and GWA, and treats each system as if one is truly separate from the other. The main resource that provides water to each system is the Northern Guam Lens Aquifer (NGLA). In Volume 6, Chapter 2 and 3, (table 3.2-1) regarding sustainable yields of the aquifer, the DEIS concluded that there is enough water in the NGLA to support the peak military build up and the future ahead. Unfortunately, the studies that these conclusions were based on are not accurate estimates of the "true sustainable yield" of the NGLA.

Therefore the final EIS should provide an impact study on the NGLA. Supporting data conducted should be gathered using precise technology that provides an accurate measurement of the sustainable yield, as opposed to the estimation concluded in earlier studies. Also, the final EIS should clearly outline the management practices to protect the NGLA from contamination, salt water intrusion, over pumping, etc...

K-059-009

**COMMENT** (Submitted online on Feb 18, early morning)

The DEIS discusses in Volume 6, page 3-8 through 3-10 that most of the impact on water availability would be concentrated in the Northern part of Guam, with the south being less of an impact. This statement does not take into account that many of GWA's struggle is providing consistent water to residents in the south. This is a result of the landscape of southern Guam, mountainous and no fresh water aquifer, and also as a result of insufficient infrastructure found in the region.

#### K-059-006

Thank you for your comment. Subsequent to publishing the DEIS, DoD and Guam Power Authority (GPA) have agreed in principle to establish a special private entity (SPE) under contract with GPA that would obtain a DoD arranged loan to recondition the required combustion turbines currently owned by GPA and the transmission and distribution system. The customer service agreement between DoD and GPA would be revised to reflect fees that would pay for this reconditioning and allow the SPE to repay the loans. This agreement will be discussed in the final EIS.

#### K-059-007

Thank you for your comment. Up to 22 new water supply wells are proposed to provide additional capacity for the DoD water system. These wells would be installed in Northern Guam and extract potable water from the northern Guam lens aquifer. Operations at Fena Reservoir would not be modified at this time. The estimated sustainable yield from the northern Guam lens aquifer is estimated at approximately 80 million gallons per day. Aquifer sustainable yield is the amount of water that can continuously be withdrawn from groundwater sources without degrading water quality or viable production water. The estimated total average daily water demand from this aquifer is 63 million gallons per day at the peak of construction of the proposed DoD buildup. Thus, there will be an adequate supply of potable water. DoD and Guam Waterworks Authority plan to jointly manage the production of water. Also DoD is an advocate for grants and low cost loans to Guam Waterworks Authority so they can improve their distribution system and reduce water loss due to leaks. The Guam Water Authority (GWA) and DoD are cooperatively working together to plan for the expected increase in population on Guam. DoD has agreed to drill the 22 new DoD water supply wells early, and provide this water to GWA, along with excess water from DoD's Fena Reservoir, to meet the near-term increase in water demand that is expected to occur off-base during the construction phase of the

K-059-010

The final EIS should account for the impact that an increased demand for water in the North would directly affect GWA system's reliability in providing water to the South, as the system as a whole would be stressed from the increased demand for water.

The final EIS should also plan mitigation contingencies for the recharging of the NGLA to maintain sustainable yields during droughts and increased demand from the NGLA.

**COMMENT** (Submitted online on Feb 18, early morning)

The DEIS mentions in Volume 6 Chapter 3, sections 3-10 that GWA's system has a 50% Unaccounted For Water (UFW) due to leaks and infrastructure losses. This is compared to an industry standard of 15% UFW. Although it can be assumed that the UFW, due to leaks, occurring in the Northern part of Guam would eventually recharge the NGLA, the efficiency that is lost and the cost in recovery to re-pump the water is a financial burden that should be addressed.

The final EIS should address how DoD could provide the Government of Guam assistance (financial, professional services) to upgrade the infrastructure for the GWA system. Sections 2.2.3.3 – 2.2.3.5 discusses the mitigations that the military would do for its system. The DEIS seems to address only DoD's water system and its efficiency. The military buildup is not limited to the needs inside the fence, but also impacts residents outside the fence.

K-059-011

**COMMENT** (Submitted online on Feb 18, early morning)

The DEIS discusses wastewater concerns in Volume 6, Chapter 2.3 and its importance in supporting the population growth of Guam, both civilian and the military. Table 2.3-4 and 2.3-5, summarized the projected flows for Northern Guam; "Based on current conditions of the existing structures and equipment at the NDWWTP, the plant would need to be refurbished and upgraded... Also, the NPDES permit would need to be modified... to accommodate the projected ultimate flow from the planned Marine Corps relocation at completion of buildup for Main Cantonment."

The Final EIS should clearly provide a commitment from DoD to support the Government of Guam financially to upgrade the necessary wastewater plants that are needed because of the military buildup. DoD should provide the resources, professional experts such as engineers and the necessary studies to conduct an assessment of the wastewater system and the needed upgrades to support the population of Guam.

K-059-012

**COMMENT** (Submitted online on Feb 18, early morning)

The DEIS discusses in Volume 6, Chapter 2, section 2.4.4.5 – 2.4.4.7, Chapter 3, section 3.1.4, the use of DoD landfills in the disposal of solid waste until the Layon landfill is completed.

The final EIS should include a plan that would combine the recycling efforts found on DoD landfills and integrate a recycling system to be conducted on Layon. This would

buildup. During this time, GWA will make improvements to their system to meet the long-term water needs of off-base communities. The net positive affect of this strategy is that DOD shoulders the cost to supply early buildup water demand, especially the demand associated with the temporary construction workforce.

**K-059-008**

Thank you for your comment. Yes, the 1991/2 study is almost 20 years old, but represents the best available information on the sustainability of the NGLA. Because the study was 20 years old, DoD had the Water and Environmental Research Institute (WERI) of the University of Guam, the acknowledged experts on the NGLA, review that report and render an opinion if the assumptions it used are still valid today. That review was performed and the conclusion drawn was that yes those assumptions are still valid. At the request of EPA Region 9, DoD will update the 1992 study will data that has been collected since 1992. Initial indications from WERI are that this new data set is fairly limited in useful information for the subaquifers in the northern areas of Guam where DoD proposes to drill new wells, so new conclusions regarding the sustainability of the aquifer are not anticipated. The DoD has committed to support the USGS modeling of the aquifer, which is estimated to take at least 3 years. This model will assist in aquifer management. DoD would appreciate any information you may have regarding the accuracy of these reports.

**K-059-009**

Thank you for your comment. DoD is currently assisting GWA with water supply in the south in the amount of up to 4 million gallons per day of supply from Fena Reservoir. However, DoD is legally restricted from spending their budget to repair or construct civilian infrastructure.

K-059-013

benefit the island as a whole because it would extend the lifespan of the newly built Layon landfill.

K-059-014

COMMENT (Submitted online on Feb 18, early morning)

To summarize Volume 6, Chapter 2, section 2.5, regarding off-base roadways, the DEIS mentioned that, "The island of Guam has roadways and bridges with inadequate load capacity." According to studies, most of the roads are sufficient for "normal" traffic, but they are inadequate to meet the capacity for military use.

The DEIS listed the projects (tables 2.5-1 and 2.5-2) necessary to meet the inadequacies highlighted in the studies, but did not address the how funding would support these projects. The final DEIS should include the DoD impacts on the roads and provide the financial commitment to support these projects

COMMENT (Submitted online on Feb 18, early morning)

The DEIS briefly discusses Mass Transit on Guam in Volume 6, Chapter 2, section 2.5.1.5 and summarizes that the military build up would result in significant increases in traffic delay. It referred to the 2030 Guam Transportation Plan as mitigation in preparation for the increases number of vehicles on the roads. However, one can conclude that the resulting traffic presence on Guam is due to the military buildup and therefore the status of a reliable mass transit system would be of interest to DoD. During the peak construction phase of the buildup, those relying on a transit system would be the foreign workers that would be brought in.

The final EIS should account for the number of workers needed for the construction phase and minimize the impact they would have should they choose to use smaller automobile rather than a mass transit system. The final EIS should include a plan or adopt the existing 2030 GTP for mass transit and require contractors awarded DoD contract to make use of the mass transit system.

K-059-015

COMMENT (Submitted online on Feb 18, early morning)

Studies regarding power demand on Guam, Volume 6, throughout Chapter 3 and the specific sections 3.1.1 and 3.2.2 is summarized to suggest that GPA would have the actual capacity within its existing infrastructure to carry the load during the peak buildup and post buildup. GPA had indicated in recent briefings that the upgrades to existing CT units would cost in the range of \$30M and upgrades Transmission system would cost \$80M. These cost are not discussed in the DEIS nor is the financial support provided to GPA. The financial burden is left with the Government of Guam to upgrade its facilities to meet the demands of the DoD buildup on Guam.

The final EIS should discuss a plan or indicate the commitment of DoD to cover the expense of this financial burden placed in Guam that would otherwise not be needed should the military buildup not occur.

COMMENT (Submitted online on Feb 18, early morning)

**K-059-010**

Thank you for your comment. The Guam Waterworks Authority (GWA) and DoD are cooperatively working together to plan for the expected increase in population on Guam. DoD has agreed to drill the 22 new DoD water supply wells early, and provide this water to GWA, along with excess water from DoD's Fena Reservoir, to meet the near-term increase in water demand that is expected to occur off-base during the construction phase of the buildup. During this time, GWA would begin to drill new wells of their own and make improvements to their system to meet the long-term water needs of off-base communities. Concrete plans to resolve the projected shortfalls in the GWA water system must be in place prior to commencement of the DoD buildup. DoD and GWA are working on these solutions and they will be included in the final EIS.

DoD is legally restricted to spend their budget only for their direct requirements. They cannot use budget to fix a civilian resource. DoD can and is an advocate for Guam to find grants and low cost loans to assist in more rapidly repairing their water systems.

**K-059-011**

Thank you for your comment. Subsequent to issuing the DEIS, DoD and Guam Waterworks Authority (GWA) reached agreement in principle to establish a special private entity (SPE). This SPE would obtain a loan arranged by DoD to upgrade the North District Wastewater Treatment Plant (NDWWTP). The SPE would also operate the plant and pay back the loan with user fees. The DoD would pay user fees established by a customer service agreement with GWA that would enable the SPE to repay the loan. Future upgrades to add secondary treatment to the NDWWTP, if required, would be funded by the users based on their percentage of demand. The DoD would be one of the highest users would bear their fair share of that upgrade. This will be stated in the final EIS.

K-059-016

Table 3.2-1 of Volume 6, Chapter 3 summarizes the data regarding the power supply and demand on Guam for the civilian and military population. Although the summary indicates the capacity of GPA to support the military buildup, there is a need for a need for an 80MW base load generator to be installed on 2015 to support the increase of demand that is a direct result of the military buildup. The cost of an additional base load generator required in 2015 would increase the rates for ratepayers; in addition to the increase that would be inevitable because of rising fuel cost.

The final EIS should include studies conducted by the DoD that addresses alternative energy sources, rather than fossil fuel. The DEIS mentioned in Volume 6, Chapter 2, section 2.1.3, alternative energy sources, but discarded those that were did not seem cost effective. However, current technology and current alternative energy data for Guam should be conducted for the final EIS to look into the possibility of supplementing fossil fuel energy. These studies should be a shared cost taken by DoD.

K-059-017

**COMMENT** (Submitted online on Feb 18, early morning)  
Regarding water demand, Volume 6, Chapter 3, section 3.1.2 stated that "In preparation for the military buildup...GWA estimates that the cost for expanding the system... would total \$200 million for 16 wells plus storage facilities and transmission lines." The DEIS states that there is enough water supply provided that the proposed GWA system expansion is operational in time to meet the buildup. However the DEIS further stated that "It is not clear whether the CIP would be adequate to meet the needs of the induced and construction worker populations. These upgrades would result in an substantial increase of rate for Guam.

The final EIS should reflect this cost and address a need for DoD to provide the financial commitment to support the facility upgrades. DoD should pay for all the impacts, direct and indirect, arising from the buildup. DoD insist that a "development fee" will address all system growth, but the burden should not be placed on the people of Guam and the final EIS should consider this.

**COMMENT** (Submitted online on Feb 18, early morning)  
Volume 6, Chapter 3, section 3.1.2 mentioned discussed how the impact on new civilians moving to Guam would be minimal since the current infrastructure is already in place and as such will not account for new demand. This statement is not valid since an existing facility does not equal the current demand of water for that facility. The DEIS also stated that construction workers are calculated to use less water than a "normal" citizen since the facilities they will be housed can be isolated to workforce dormitories. The impact of these workers on water demand and wastewater flow should not be minimized because there is a potential for significant impacts in unregulated workforce housing, which can be a problem on Guam.

The final EIS should provide joint mitigations between DoD and GWA to improve the water supply and distribution systems for all of Guam and to extend the timeline for the buildup to provide adequate preparation in upgrading the infrastructure.

7

Also, a detailed study of needed upgrades to the NDWWTP has been recently completed, shared with GWA, and is in the final EIS.

**K-059-012**

Thank you for your comment. DoD will share with the receivership the details of their recycling efforts. Information sharing would be provided upon request.

The Navy is preparing a Recycling and Solid Waste Diversion Study for DoD Bases, Guam that has established a diversion goal of 50 percent, not including construction and demolition debris. The Study is considering the following alternatives: 1) DoD would construct two refuse transfer facilities, one in northern Guam and one in Southern Guam; 2) DoD would implement a source separation recycling program at all facilities; 3) DoD would construct recycling center(s); and 4) DoD would construct a materials resource recovery facility.

**K-059-013**

Thank you for your comment. Please see response to K-059-012.

**K-059-014**

Thank you for your comment. The off-base roadway projects may be funded through the Defense Access Road (DAR) Program and annual allocations through the US Department of Transportation (USDOT) Federal Highway Administration. The Defense Access Road Program provides the means for the Department of Defense (DoD) to pay a fair share for public highway improvements required as a result of a sudden or unusual defense-generated traffic impact or unique defense-related public highway requirement.

Volume 6, Chapter 1 has been updated to include a list of potential DAR

K-059-018

**COMMENT** (Submitted online on Feb 18, early morning)  
Regarding Wastewater discussed in Volume 6, Chapter 3, section 3.1.3, "The ROI for wastewater includes wastewater systems on Guam that would be directly or indirectly affected by the proposed military buildup." Current situation with the U.S. EPA denying Guam's exemption from a secondary wastewater treatment in the North would cost the Government of Guam over to \$330M to upgrade or build this facility (page 3-18). GWA has since upgraded its system to lengthen the outcrops going into the ocean and studies have supported that island systems are sustainable with improved primary systems.

The DEIS had considered an upgrade system, but the cost was placed on the Government of Guam. The final EIS should indicate mitigation plans in protecting the NGLA. Since many of the residents in the North are using septic tanks instead of the sewer system, this poses a great risk to the NGLA. The final DEIS should have mitigation to prevent the contamination of NGLA, movement of residents to be integrated into the sewer system and management of the NGLA from being overdrawn.

K-059-019

**COMMENT** (Submitted online on Feb 18, early morning)  
Throughout Volume 6, Chapter 3, the discussion on two water systems, DoD and GWA is prevalent. It would be in the great interest of Guam to have one system, similar to the power system (GPA). Instead of building 22 well inside the fence, there should be collaboration with both systems to integrate the proper number of wells and ideal locations to maximize safety and efficiency in providing water to the people on Guam.

The final EIS should stress the importance of a Guam buildup and not segregate what is happening inside the fence and outside the fence. This buildup will change the landscape of Guam and all impacts are related, therefore the final EIS should reflect this. DoD should share in the cost that it is putting on the people of Guam.

**Chapter 4**  
(Roadways)

K-059-020

**COMMENT** (submitted online on Feb 17, 4:33pm)  
Regarding the location of workforce housing and the impact of the buildup on traffic, the DEIS states that "the... location [is] unknown for construction and/or renovation of housing to accommodate the workforce." (Volume 6, Chapter 1, section 1.2.2, page 1-6) This same chapter continues by stating that "DoD has no decision-making authority on current proposals for construction workforce housing, and the record of decision would not endorse specific proposals for workforce housing." (Volume 6, Chapter 1, section 1.2.2, page 1-7)

However, the traffic models used in Chapter 4 (Roadways) assume workforce housing will be placed in "community housing close to the construction sites," workers will be "bused," and "busing" will happen during off-peak hours. (Volume 6, Chapter 4, section 4.2.1, page 4-40)

projects. The DoD commits to seeking funding for these projects.

The DoD, Guam Department of Public Works and Federal Highway Administration are continuing to work together to identify projects eligible for funding under the DAR program. The DoD will lead an interagency council which includes the USDOT to assist the Government of Guam in seeking funds for projects that are not eligible for the DAR program.

**K-059-015**

Thank you for your comment. Subsequent to publishing the DEIS, DoD and Guam Power Authority (GPA) have discussed two approaches to implement the required power upgrades. One plan would establish a private entity (PE) under contract with GPA that would obtain a DoD arranged loan to recondition the required combustion turbines and transmission and distribution system owned by GPA. The second plan would have GPA utilize their own financial resources/arrangements to make the required upgrades. In either case, the customer service agreement between DoD and GPA would be revised to a utility service contract and reflect fees that would pay for these improvements. These options are discussed in the final EIS.

**K-059-016**

Thank you for your comment. Updated power analysis has reduced the current load on the GPA system and also the projected demand from the proposed buildup. In working with GPA, both DoD and GPA agree that a new baseload generating facility would be needed by 2017. The revised customer service agreement between GPA and DoD would ensure that DoD pays their fair share for the impacts from the proposed buildup. Alternative energy sources were considered but discarded for baseload supply as this supply must be extremely reliable. Solar and wind are not reliable enough and there is no currently available economical power storage medium to augment them. Also alternative energy is very costly. Per the December 2009 "Watts & Volts" newsletter published by the

Based on the inability of DoD to control or know the exact location of workforce housing (as stated in Chapter 1 of Volume 6), it is inappropriate to base traffic models on the assumption that workforce housing will be placed near construction sites, that workers will be bused, and that busing will happen during off-peak hours.

As such, the final EIS should not assume that the above-mentioned variables are constrained. All traffic models should be redone to reflect these unconstrained variables, and the resulting analysis and recommendations based on these traffic models should similarly be updated.

**COMMENT** (submitted online on Feb 17, 4:34pm)

Traffic models used in Chapter 4 (Roadways) assume workforce housing will be placed in "community housing close to the construction sites," workers will be "bused," and "busing" will happen during off-peak hours. (Volume 6, Chapter 4, section 4.2.1, page 4-40)

However, the DEIS earlier states that "the... location [is] unknown for construction and/or renovation of housing to accommodate the workforce." (Volume 6, Chapter 1, section 1.2.2, page 1-6) This same chapter continues by stating that "DoD has no decision-making authority on current proposals for construction workforce housing, and the record of decision would not endorse specific proposals for workforce housing." (Volume 6, Chapter 1, section 1.2.2, page 1-7).

The final EIS should include a section clarifying why traffic models assume that temporary worker housing will be located in "community housing near construction sites," that workers will be "bused," and that "busing" will happen during off-peak hours.

The final EIS should also thoroughly explain how off-peak bussing will be regulated (e.g. through local statutes, through DoD stipulations to its contractors, or through some other manner).

**COMMENT** (submitted online on Feb 17, 4:39pm)

In accordance with the 2030 GTP (Guam Transportation Plan), many of the bridges along Marine Drive will be upgraded to meet the anticipated growth in local demand. Other bridges along this route will not need upgrade, as their current state is sufficient to withstand the needs of traditional growth. Through this coordinated planning and execution, the traffic needs of Guam would be met by the overall improvement of the roadway system.

However, military vehicles that will be utilized on Marine Drive will exceed the capacity of many of the bridges, even after planned bridge upgrades. No other private or government vehicles are anticipated to exceed bridge capacities. As such, it is reasonable to expect the DoD to bear the burden of further upgrading the capacity of bridges that are needed to meet the unique needs of military vehicles.

IREA of Colorado, a very sunny state, "A recent study by Tufts University economics professor Gilbert Metcalf states, 'Solar power currently costs 3.5 to 4 times the price of conventional power,' but when stripped of subsidies and preferential tax treatment, 'solar power is between 570 percent and 887 percent more expensive to produce than coal power.'" We realize coal power is not available on Guam, but this demonstrates that solar power is not cheap. Both solar and wind require duplicative investments, one for the alternative energy and another for the conventional backup. DoD, however, is mandated to provide a certain percentage of power via alternative energy. So, for new installations, solar water heating and photovoltaics would be considered for new installations. In addition, new DoD development would strive to achieve at least LEED Silver, requiring energy conservation be built into the new facilities. Conservation is the best alternative energy source.

**K-059-017**

Thank you for your comment. DoD is legally limited to spending its budget on what is needed for its operation and personnel. Spending DoD funds to repair civilian utility systems is prohibited by the Anti-Deficiency Act. DoD is an advocate for Guam to obtain grants and low-cost loans from other U. S. Federal agencies, and for Guam to collect development fees that would be paid by DoD when the development is being conducted by a DoD contractor. Additional sources of income typically enhances the borrowing capacity of business entities if they are properly managed. DoD cannot fix GWA. Gov Guam must do that. However, GWA and DoD are cooperatively working together to plan for the expected increase in population on Guam. DoD has agreed to drill the 22 new DoD water supply wells early, and provide this water to GWA, along with excess water from DoD's Fena Reservoir, to meet the near-term increase in water demand that is expected to occur off-base during the construction phase of the buildup. During this time, GWA would begin to drill new wells of their own and make improvements to their system to meet the long-term water needs of off-base communities.

Unfortunately, there is no discussion within the DEIS of the military's responsibility to bear the burden of cost for these bridge upgrades along the length of Marine Drive. Bridges impacted by the use of these military vehicles are: Fonte Bridge, Asan #1 MD, Asan #2 MD, Agana Bridge #1, Sasa Bridge, Laguas Bridge, Agueda Bridge, and Atantano Bridge. As stated before, these bridges would not require additional improvement were it not for the unique weight and size demands of expected military vehicles.

The final EIS should state that military vehicles that exceed the current weight or size capacity of the roadway system of Guam shall not be permitted on public roads.

The final EIS shall also state that, should such military vehicles need to be moved along Guam's roadways, that the DoD will fund all improvements and upgrades necessary to accommodate such vehicles and to maintain the same level of road condition and quality along all roadways traversed.

**COMMENT** (submitted online on Feb 18, 10:39am)

Traffic models used in Chapter 4 (Roadways) assume workforce housing will be placed in "community housing close to the construction sites," workers will be "bused," and "busing" will happen during off-peak hours. (Volume 6, Chapter 4, section 4.2.1, page 4-40)

However, the DEIS earlier states that "the... location [is] unknown for construction and/or renovation of housing to accommodate the workforce." (Volume 6, Chapter 1, section 1.2.2, page 1-6) This same chapter continues by stating that "DoD has no decision-making authority on current proposals for construction workforce housing, and the record of decision would not endorse specific proposals for workforce housing." (Volume 6, Chapter 1, section 1.2.2, page 1-7).

It appears that the DEIS is utilizing an approach in which traffic impact estimates are based on best-case scenarios, and that each construction activity deviating from the best-case scenario will bear the cost through a traffic impact analysis portion of the building permit application with the local government.

The final EIS should include a section clearly stating whether DoD expects that the local government, through a traffic impact portion of the building permit, will recoup traffic impact costs from individual constructors.

The final EIS should also explain why this process is more effective in recouping costs instead of directly receiving funds from the DoD based on the traffic impacts related to the military-related temporary worker housing.

The final EIS should include an estimate of the percentage of traffic impact costs that can be expected to be recouped through building permits. This estimate should be based on industry norms and on the expected capacity of the local government to recoup traffic impact costs through building permits.

Concrete plans to resolve the projected shortfalls in the GWA water system must be in place prior to commencement of the DoD buildup. DoD and GWA are working on these solutions and they will be included in the final EIS.

The bulk of the construction workforce would be housed in a work camp, which would be a requirement in the procurement package to the construction contractors. Yes, there would be other civilian increases related to the construction, and that is included in the induced civilian growth estimates and the DoD population growth estimates (DoD personnel involved in the construction). We feel the estimated demand is accurate. We do not understand how joint mitigations between DoD and GWA would occur, since DoD cannot dictate the mitigation efforts of GWA. In the FEIS, potential mitigations not in DoD control have been recommended.

#### K-059-018

Thank you for your comment. The DEIS identified the need for GWA to make repairs and upgrades to the NDWWTP, and committed to paying its fair share of these upgrades. DoD's fair share was described as a percentage of the upgrade cost based on how much flow DoD would send to the plant from existing and new DoD facilities. However, the DEIS identifies this as a mitigation measure that is not within DoD control because the NDWWTP is owned and operated by GWA. Primary repairs and upgrades that are needed at the plant today, primary upgrades needed at the plant to meet the increased flow from DoD, and secondary upgrades needed in the future are all addressed in the DEIS. In Subsequent to the publication of the DEIS, DoD has committed to fund 100% of the primary treatment repairs and upgrades. This would significantly improve the quality of wastewater from the plant, and reduce the risk to public health from waterborne diseases. DoD also funded, and has completed, a detailed engineering study that identifies the specific repairs and upgrades needed at the plant for both primary and

**COMMENT** (Submitted online on Feb 18, 10:41am)

Traffic models used in Chapter 4 (Roadways) assume workforce housing will be placed in "community housing close to the construction sites," workers will be "bused," and "busing" will happen during off-peak hours. (Volume 6, Chapter 4, section 4.2.1, page 4-40)

However, the DEIS earlier states that "the... location [is] unknown for construction and/or renovation of housing to accommodate the workforce." (Volume 6, Chapter 1, section 1.2.2, page 1-6) This same chapter continues by stating that "DoD has no decision-making authority on current proposals for construction workforce housing, and the record of decision would not endorse specific proposals for workforce housing." (Volume 6, Chapter 1, section 1.2.2, page 1-7).

It appears that the DEIS is utilizing an approach in which traffic impact estimates are based on best-case scenarios, and that each construction activity deviating from the best-case scenario will bear the cost through a traffic impact analysis portion of the building permit application with the local government.

The DEIS does not state whether the local government has the capacity, expertise, or funding to conduct traffic impact analyses on new building permits, particularly in regards to the scale needed to appropriately regulate the large construction projects associated with these proposed military actions.

The final EIS should include a discussion of whether local capacity exists to handle the increased scale and scope of traffic impact analyses that will be needed to accommodate the proposed military action.

The final EIS should also include a section explaining the funding source to aid the development, expansion, and preparation of the traffic impact portion of the building permit process to handle the construction activity associated with the proposed military actions. The final EIS should also explain why or why not DoD should provide the funding for this capacity building, as it is unlikely that such services would be needed (particularly at such a large scale) were it not for the proposed military actions.

**COMMENT** (submitted online on Feb 17, 4:43pm)

Traffic models used in Chapter 4 (Roadways) assume workforce housing will be placed in "community housing close to the construction sites," workers will be "bused," and "busing" will happen during off-peak hours. (Volume 6, Chapter 4, section 4.2.1, page 4-40)

However, the DEIS earlier states that "the... location [is] unknown for construction and/or renovation of housing to accommodate the workforce." (Volume 6, Chapter 1, section 1.2.2, page 1-6) This same chapter continues by stating that "DoD has no decision-making authority on current proposals for construction workforce housing, and the record of decision would not endorse specific proposals for workforce housing."

secondary treatment. This study was fully coordinated with GWA and EPA, and are discussed in the FEIS. After publication of the DEIS, GWA challenged an EPA requirement to upgrade the plant to secondary treatment. Whether secondary treatment will be required will be determined in the future. Regardless, DoD will pay for its fair share (based on flow) of these secondary upgrades if and when they are required. The FEIS will include this commitment.

DoD agrees with the suggestion to add sewer services to northern Guam as a mitigation measure to protect the aquifer. This mitigation has been added to the FEIS.

**K-059-019**

Thank you for your comment. Combining and integrating both the DoD and GWA water systems would be a major undertaking that is beyond the scope of the EIS. DoD certainly plans on cooperating with GWA and assisting them to the full legal extent of their capability, but would not concur to combine the two water systems. Interconnects would be planned to permit water sharing back and forth as agreed upon. In fact, the Guam Water Authority (GWA) and DoD are cooperatively working together to plan for the expected increase in population on Guam. DoD has agreed to drill the 22 new DoD water supply wells early, and provide this water to GWA, along with excess water from DoD's Fena Reservoir, to meet the near-term increase in water demand that is expected to occur off-base during the construction phase of the buildup. During this time, GWA will make improvements to their system to meet the long-term water needs of off-base communities.

**K-059-020**

Thank you for your comment. Workforce housing would be provided by the contractors as described in Volume 2, Chapter 16, "Socioeconomics and General Services." DoD would not provide workforce housing, but design/construction contracts would require the contractor to accommodate the workforce in accordance with specified health and

K-059-024

(Volume 6, Chapter 1, section 1.2.2, page 1-7). Thus, estimated congestion and level-of-service are based on an unsubstantiated "best case scenario," and may be significantly underestimated.

In order to better analyze traffic impacts on quality of life, more realistic traffic models should also be included. As such, the final EIS should include traffic models that do not constrain the location of off-island construction personnel housing, the means of transportation used by these workers, and the times these personnel are bused to construction sites.

**COMMENT** (submitted online on Feb 17, 4:45pm)

The DEIS states that "generally" the minimum desirable Level of Service (LOS) is level D, but because the 2030 GTP uses level E as the minimum desirable LOS, the DEIS will follow suit and also use level E. (Volume 6, Chapter 4, section 4.1.1.2, page 4-2) The DEIS provides a quote from the 2030 GTP to support this position, but fails to cite the quote.

The final EIS should identify precisely where in the 2030 GTP it states that level E is the preferred minimum desirable LOS moving forward. If such is not stated in the 2030 GTP, then the final EIS should set the minimum desirable LOS at level D and all related analyses should be updated to incorporate this new minimum desirable LOS.

**COMMENT** (submitted online on Feb 17, 4:46pm)

Traffic models utilized in Chapter 4 of Volume 6 assume that off-island construction personnel will be housed "close to" construction sites.

The final EIS shall state the length of distance considered "close to" for the purposes of the utilized traffic models.

The final EIS should include maps that show the distance of these housing sites from construction sites, as utilized by the traffic models in Chapter 4 of Volume 6.

K-059-025

**COMMENT** (submitted online on Feb 17, 4:48pm)

The DEIS states, in regards to the analysis of roadway project impacts on-base, that "an on-base traffic study is currently being conducted and results from that report will be incorporated in the FEIS" (Volume 6, Chapter 4, section 4.2.1.1, page 4-39)

This study should have been completed prior to the release of the DEIS, and its results should have been included in the DEIS. It is possible that on-base traffic could affect stormwater systems and impact the local environment. Because this information was not included in the DEIS, it is impossible for the public to provide comment on this portion of the proposed military action, as required by the NEPA process.

Prior to the development of the final EIS, the public should be afforded an opportunity to provide a response to this "on-base traffic study," as required by the NEPA process.

safety standards. Various proposals are being developed by potential contractors in anticipation of winning a contract. The timing and location are unknown for construction and/or renovation of housing to accommodate the construction workforce, but it is possible that some of the workforce housing projects would begin independently of DoD's Record of Decision.

There are no plans to allow contractors to locate workforce housing on DoD-controlled land. Therefore, it is anticipated that should workforce housing needs require the construction of new housing, such workforce housing would be located on either private or Government of Guam lands. In either instance Guam officials would control the underlying land use and permit decisions associated with the siting of such housing. DoD would work with Government of Guam land use and natural resource officials to identify any contractor plans or efforts to construct workforce housing and DOD shall ensure that contractors are informed of their responsibilities to comply with Government of Guam land use restrictions. In particular, the Guam Land Use Commission recently issued GLUC 2009-1 which specifically addresses the issue of zoning for workforce housing.

**K-059-021**

Thank you for your comment. Please see response to K-059-020.

**K-059-022**

Thank you for your comment. The off-base roadway projects may be funded through the Defense Access Road (DAR) Program and annual allocations through the US Department of Transportation (USDOT) Federal Highway Administration. The Defense Access Road Program provides the means for the Department of Defense (DoD) to pay a fair share for public highway improvements required as a result of a sudden or unusual defense-generated traffic impact or unique defense-related public highway requirement.

**COMMENT** (submitted online on Feb 17, 4:50pm)

The DEIS states: "Typically a 2% increase of critical movements at an intersection at LOS D is significant for analysis. For the purposes of the DEIS, a 5% increase was used as a significant threshold regardless of LOS." (Volume 6, Chapter 4, section 4.2.1.1, page 4-40)

Unfortunately, there is no rationale provided for why a 5% increase was used as the significance threshold over a 2%. Nor is there any discussion of how a higher percentage point would impact modeling.

In the absence of any rationale to support a 5% threshold, the final EIS shall instead use a 2% threshold for LOS. All related models that may be impacted by this change shall also be redone, and resulting analysis shall also be updated.

Additionally, it will be insufficient to simply add rationale for the 5% threshold at this point, because the public would not be provided an opportunity to comment on such rationale, as required by the NEPA process. The final EIS, if it includes a 5% threshold, should only be developed after providing for a new commenting period, perhaps through a new DEIS, to allow for adequate public participation to comment on this new information, as required by the NEPA process.

**COMMENT** (submitted online on Feb 17, 4:51pm)

The DEIS, in volume 6 (and particularly, Chapter 4), discusses the traffic-related impacts of the proposed military action. However, there is no discussion of the condition of roadway following the end of construction activity.

The final EIS should include an analysis of the long-term wear and tear of the increased traffic, as well as an analysis of the condition of roads following the end of construction activity. The final EIS should also include an analysis of the roadway repair, maintenance, and upkeep costs associated with the proposed military actions.

**COMMENT** (submitted online on Feb 17, 4:53pm)

The DEIS provides an summary of the LOS estimates for each alternative in Figure 4.2-34 (page 4-167) of Chapter 4, Volume 6. However, the version provided in the print version of the DEIS, as well as the digital copy, is too blurry to read.

The final EIS should include a clearer, readable copy of Figure 4.2-34.

**COMMENT** (submitted online on Feb 17, 4:55pm)

The DEIS recommends a series of mitigations to address the traffic impacts associated with the proposed military actions. (Volume 6, Chapter 4, page 4-87) However, there is no discussion of how costly or feasible these mitigations are, or how effective they will be. For example, the suggested mitigation of "stagger work hours" may be too costly for contractors to implement, too difficult to regulate by local statute, or not impactful enough to warrant the increased cost.

Volume 6, Chapter 1 has been updated to include a list of potential DAR projects. The DoD commits to seeking funding for these projects.

The DoD, Guam Department of Public Works and Federal Highway Administration are continuing to work together to identify projects eligible for funding under the DAR program. The DoD will lead an interagency council which includes the USDOT to assist the Government of Guam in seeking funds for projects that are not eligible for the DAR program.

**K-059-023**

Thank you for your comment. Please see response to K-059-020.

**K-059-024**

Thank you for your comment. Generally, LOS D is the minimum desirable level of service during peak hours when planning new facilities in undeveloped areas. The 2030 Guam Transportation Plan (Section 7.2.5, Page 7-2) identifies that LOS E should be provided to the extent feasible with due consideration to physical and environmental impacts. Off-base roadway improvements were identified in the DEIS to offset the Military Build-up traffic impacts to the extent that projects were reasonable and implementable. In most cases, if constructed, the improvements will offset the traffic impacts associated with the military development.

Addition of a map depicting the locations of work force housing will be provided in FEIS.

**K-059-025**

Thank you for your comment. The on-base traffic study does not address

K-059-027

The final EIS should include a section that analyzes the feasibility of each proposed mitigation. This analysis should include a description of the mitigation, identification of the entity responsible for initiating and implementing the mitigation, the anticipated impact of such a mitigation (which should be based on industry track records and take into consideration the unique aspects of Guam's traffic environment), the cost and associated funding sources, and a cost-benefit analysis.

**COMMENT** (submitted online on Feb 17, 4:56pm)

As a mitigation for roadway projects associated with the proposed military action, the DEIS recommends that "all emergency services would be given sufficient notice of construction activities and relative detour routes as to not affect their response times." (Volume 6, Chapter 4, page 4-88) However, there is no analysis of the cost of such a system, whether it would be feasible, or the likelihood of its success.

As the proposed military action necessitates an emergency response detour notification system, the final EIS should include a section that analyzes how such a system could be implemented and operated. Such an analysis should include the cost and associated funding sources, the parties responsible for implanting and operating such a system, and the potential obstacles of such a system given the traffic models outlined in Volume 6.

**COMMENT** (submitted online on Feb 17, 4:58pm)

The DEIS fails to adequately estimate the impact of military related traffic issues and ridership levels on the Guam mass transportation system. In regards to the anticipated demands of the proposed military action, the DEIS states simply "implementation of new transit services should take into consideration the impacts of the military relocation." (Volume 6, Chapter 4, page 4-87)

While the current mass transportation system may be less-than-sufficient, a clear plan is in place to improve it over the next few years. With the recent establishment of an autonomous agency to operate the mass transit system, the identification of significant federal funding sources to upgrade and operate the system, and the approval of the 2030 Guam Mass Transportation Plan, it can be reasonably expected that the mass transit system will significantly improve over the next few years. This improvement would be enough to serve the island in a no-action scenario, but will fall far short of being able to adequately serve ridership needs under any of the proposed military actions.

As such, the final EIS should include an estimate for the increase in ridership due to the proposed military actions, and the impact such an increased ridership will have on the operations, scheduling, availability, service, and condition of mass transportation vehicles. This estimate should include the anticipated ridership of off-island construction personnel. A no-action analysis should also be included in this discussion.

The final EIS should also identify federal or DoD funding sources to address the increased ridership related to the proposed military actions.

stormwater issues. The on-base study is not being conducted specifically for the EIS. All available studies were included in the EIS.

**K-059-026**

Thank you for your comment. Please see response to K-059-024.

**K-059-027**

Thank you for your comment. Coordination and outreach with emergency service providers is a normal function that is coordinated with traffic control plans for construction projects. Coordination will occur per normal processes and procedures.

The traffic congestion and decreased level-of-service (LOS) associated with the proposed military action will significantly hamper the scheduling and operation of mass transit system. The only mitigation proposed by the DEIS is that "implementation of new transit services should take into consideration the impacts of the military relocation." (Volume 6, Chapter 4, page 4-87) This is grossly insufficient.

As such, the final EIS should clearly identify mitigation solutions to address the obstacles associated with the proposed military actions and related construction activities. Funding sources, including the responsibility of DoD to bear all costs associated with the proposed military actions, should also be included.

**COMMENT** (submitted online on Feb 17, 5:59pm)

The DEIS states that level-of-service (LOS) and Congestion will increase significantly regardless of alternative, particularly in the North and Central regions. Even with proposed mitigations, it is likely that most intersections studied will remain at LOS levels of F (regardless of alternative). Level F is considered "unacceptable." Some intersections will experience extreme LOS. For example, Routes 26/15, under alternatives 1, 2 and 3, will experience a 3440.9 second delay in the afternoon (57.3 minutes). Many other intersections will experience delays in excess of 5 minutes.

Congestion and LOS are noticeably better (though not ideal) under no-action alternative. (Volume 6, Chapter 4, section 4.2.2.5, page 4-143)

The DEIS does not attempt to estimate how mitigation measure may improve traffic scenarios. Given that some intersections are modeled to experience 5-minute delays or more, it is unlikely that mitigation measures will improve these intersections from the anticipated LOS level of F (which is considered "unacceptable"). Additionally, these models, which predict numerous intersections experiencing LOS levels of F, were based on best-case scenarios (with off-island construction personnel being housed in community living areas near construction sites, bused to work, and bused during off-peak hours).

The DEIS also fails to adequately analyze how such traffic conditions will significantly and negatively impact the quality of life on Guam.

As such, the final EIS should provide models and estimates for how island-wide LOS and congestion will improve with the implementation of recommended mitigation measures.

The final EIS should also provide a detailed analysis of how the quality of life on Guam will be affected by traffic issues as a result of the proposed military actions.

The final EIS should also recommend additional measures by which the quality of life on Guam can be improved in other areas. The DoD should fund these measures to the extent that traffic conditions exceed what would have been experienced under the no-action alternative.

## K-059-028

Thank you for your comment. The off-base roadway and intersection improvements were developed to mitigate the traffic impacts of military traffic in the 2030 planning horizon. These projects were incorporated into the action alternatives as traffic mitigation for the specific alternatives. Travel demand management recommendations were identified to help relieve the short-term impacts in the 2014 time horizon and could be used in 2030 if desired. These qualitative measures are subjective in nature and the improvements would be difficult to measure in a quantitative analysis. Increased congestion and travel time can negatively affect quality of life. Quality of life is a qualitative measure and difficult to measure in a quantitative analysis.

K-059-029

**COMMENT** (submitted online on Feb 17, 5:02pm)

In regards to traffic impacts of each proposed military alternative, the DEIS states that by 2030 the no-action alternative will experience somewhat poorer LOS and congestion than each of the alternatives. (Volume 6, Chapter 4)

However, this statement about the 2030 no-action alternative assumes no additional non-military roadways projects. And, as such, the proposed military action alternatives 1, 2, 3, and 8 appear more favorable in relation to the no-action alternative.

The final EIS should clearly state that it cannot predict whether additional non-military roadways projects will be completed under the 2030 no-action alternative.

Additionally, the final EIS shall not utilize such unpredictable 2030 models when determining whether the proposed military alternatives 1, 2, 3, or 8 are or are not preferable to the no-action alternative.

**COMMENT** (submitted online on Feb 17, 5:04pm)

When developing the traffic models used in Chapter 4 of Volume 6, two roadway improvement projects related to the military-related congestion were identified along routes 25 and 26. The DEIS then states "The remaining congested areas are existing concerns and would be present regardless of military buildup." (Volume 6, Chapter 4, section 4.2.1.1, page 4-44)

It is unclear whether "Off-island indirect workers and jobs associated with military actions" and other tangential impacts/personnel are considered "military-related." These impacts should be considered a military-related impact, as they derive solely due to the existence of the proposed military actions (and would not otherwise have occurred on such a scale and scope).

The final EIS should clearly state that off-island indirect workers and jobs associated with the military actions are considered to be "military-related." The final EIS should also include these impacts when identifying the DoD funding responsibility in regards to roadways, infrastructure, and other impacts.

**Chapter 6**  
(Water Resources)

K-059-030

**COMMENT** (Submitted online on Feb 18, 10:42am)

Chapter 6 of Volume 6 outlines the issuance of permits and the development of procedural plans by Government of Guam agencies to address impacts on water resources. As it is now, agencies are already under-resourced to issue permits and develop plans outlined in this Chapter.

The final EIS should clearly identify whether the strain placed on local agencies (to conduct issue permits and develop plans) will be a direct/indirect cost to the Department of Defense.

**K-059-029**

Thank you for your comment. The FEIS action alternatives include off-base roadway and intersection improvements associated with each alternative. The no-action alternative does not include any of the off base roadway improvements that were identified to address military traffic impacts. There are a number of intersections and roadway segments and intersections that will operate more favorably with the military traffic AND the identified projects than in the no-action condition.

The affects of indirect workers were included in the model as military-related traffic.

**K-059-030**

Thank you for your comment. DoD is legally limited to spending budget on items directly associated with its facilities and personnel. It is suggested that the required funding for additional permitting support be obtained through the cost of the permits and not through direct funding from DoD, which is prohibited.

K-059-031

The final EIS should also identify sources of funding for the expansion of permitting functions of local agencies, and also identify sources of funding for the development of the procedural plans outlined in Chapter 6.

K-059-032

**COMMENT** (Submitted online on Feb 18, 10:43am)

In chapter 6 of Volume 6, Least Significant Impact (LSI) is ascribed for individual projects, but cumulative impacts do not appear to be accounted for.

The final EIS should provide evidence that reflects the cumulative impact of these projects and their alternatives. Additional investigations/studies are needed, but will be incorporated after public comments will no longer be accepted. As such, and in accordance with the NEPA process, a new commenting period should be provided to the public in order to collect feedback on these cumulative impacts.

K-059-033

**COMMENT** (Submitted online on Feb 18, 10:44am)

In chapter 6 of Volume 6, impacts are assessed on military related projects only; this does not account for the impacts of these projects on the larger community. For example, "landfill located over aquifers not used for supplying drinking water" (Section 6.2.5.2, page 19) is used as justification to continue polluting lands and waters of Guam.

As such, the final EIS should incorporate more extensive analyses on the impact of the proposed military actions on the entire Guam population.

**Chapter 7**  
(Air Quality)

K-059-034

**COMMENT** (Submitted online on Feb 18, 1:46pm)

Under the section "MSAT Analysis," Mobile Source Air Toxics (MSAT) are defined as hazardous air pollutants, seven of which have been identified by USEPA as mobile source pollutants: naphthalene, acrolein, benzene, 1-3 butadiene, formaldehyde, polycyclic organic matter (POM) and diesel particulate matter plus diesel exhaust organic gases (DPM+DEOG)" (Volume 6, Chapter 7, page 7-4).

Currently, there are no established criteria for determining when MSAT emissions should be considered significant. FHWA suggested a tiered approach in determining potential project-induced MSAT impacts; however, this does not adequately address at what point MSAT emissions should be considered significant.

The final EIS should not purport, as the DEIS does, that no significant air quality impacts are associated with proposed military action; rather, the final EIS should clearly state that it is possible, but difficult to determine, whether pollutants are significant negative impacts on the public. As such, and in order to err on the side of the public well-being, the final EIS should include mitigation measures to significantly reduce the above-mentioned pollutants.

**K-059-031**

Thank you for your comment.

**K-059-032**

Thank you for your comment. Due to the complexity of the project, there are two parts of the cumulative impact analysis: the summary of impacts for all components of the proposed action (Volume 7 Chapter 3) and an assessment of the additive impacts of the proposed action in combination with other past, present and reasonably foreseeable projects (Volume 7, Chapter 4). A systematic methodology was applied in both analyses.

Volume 7, Chapter 3 summarizes the combined potential impacts of all of the preferred alternatives on Guam and Tinian. The impacts of Volumes 2 through 6 are discussed by resource. At the end of Volume 7, Chapter 3.3 there is a table summarizing the combined impacts of all long-term (operational) components of the preferred alternatives. Significant impacts are identified. Trends in the resource health on Guam and Tinian since World War II are described. This section includes limited quantitative data for proposed action impacts. For example, special-status species habitat loss due to the proposed action and current amount of habitat available island wide is presented in Volume 7, Section 3.3. There is no quantitative island-wide data readily available for most of the resource areas assessed and the impact analysis is often qualitative.

Volume 7, Chapter 4, Cumulative Impacts, assesses the potential additive impact of the EIS proposed actions when combined with potential impacts of other past, present and reasonably foreseeable future actions. The period of consideration for the cumulative impact analysis is 2004 to 2019. The project list is based on best available information from DoD and the Guam Land Use Commission database. There is no National Environmental Policy Act (or similar) document

**COMMENT** (Submitted online on Feb 18, 10:46am)

In chapter 7 of Volume 6, it is stated that the air quality impact analysis for programmatic long-term alternatives was not performed at the time the DEIS was completed. If required, the DEIS states that this may be addressed in separate future NEPA documents (Volume 6, Chapter 7, page 7-7).

This study is significant, and should be part of the documents provided for public review and comment. As such, before the release of the final EIS, this air quality impact analysis should be completed and incorporated, and the public should be afforded an opportunity to provide comments on this study as required by the NEPA process.

**COMMENT** (Submitted online on Feb 18, 10:47am)

The DEIS outlines the following public scoping concerns raised in 2007 with regard to Air Quality:

1. Increase in vehicle and vessel emissions, and disclosure of health risks
2. Increase in emissions from existing power sources due to power demand or construction of new power sources
3. Increase in construction-related emissions and impacts including emissions estimates of criteria pollutants and diesel PM from construction of alternatives
4. Compliance with GCR in siting project facilities
5. Emissions mitigation plans during construction
6. Discussion of potential installation of an air quality monitoring network on Guam
7. Discussion of project elements that would be major contributors to greenhouse gases (GHGs) and identification of practices or project elements to reduce GHGs
8. Control and monitoring of buildup activities to ensure good air quality on Guam

While these concerns are significant and specific, the issues are not adequately addressed in Chapter 7 of Volume 6. The relevant section ends with public scoping comments, but no follow-up mitigations or analyses are outlined.

The final EIS should provide detailed analyses and mitigations for the public scoping concerns submitted.

Additionally, and as raised during the public scoping meetings, there is concern of the increase in emissions from existing power sources due to growing power demand. Since the two power plants are a major source of SO<sub>2</sub> (section 7.2), there is concern that Guam will see an increase in SO<sub>2</sub> emissions. While the impact will be/is assumed to be less than significant, what studies will be conducted to test the impact of increased levels of emissions on the people and the environment? This question needs to be addressed in the final EIS.

**COMMENT** (Submitted online on Feb 18, 1:40pm)

Ambient air quality data for Government of Guam has not been collected since 1991: "no existing ambient air quality data are available to represent current air quality conditions with respect to the criteria pollutants for which the NAAQS were established" (Volume 6, Chapter 7, page 7-14). It is critical that this data be collected, analyzed, and

disclosing project impacts for most of the cumulative projects listed; therefore, there is insufficient data on most cumulative projects listed to conduct a quantitative impact analysis. In Chapter 4 a table summarizes the potential cumulative impacts on Guam and another table summarizes the potential cumulative impacts on Tinian. Potential additive cumulative impacts are identified for a number of resources. Mitigation measures are proposed earlier in the EIS. The cumulative impacts analysis has been expanded in the FEIS, including the addition of climate change analysis and analysis of cumulative impacts to coral.

**K-059-033**

Thank you for your comment. The quote from Volume 6 Chapter 6 section 6.2.5.2 discusses the new Gov Guam landfill at Layon as having the potential to produce leachate that could percolate into the groundwater. However, the groundwater under that landfill is not used as a drinking water supply and the impact of this landfill was examined during its own NEPA process. Siting of the Layon Landfill is not within the scope of this EIS.

**K-059-034**

Thank you for your comment. The Federal Highway Administration interim guidance suggests a three tiered approach for addressing toxics in NEPA documents since there are no criteria for determining the significance of MSAT emissions in the NEPA context. However, as per EPA's request, DoD conducted, despite the lack of guidance and impact thresholds, an MSAT impact dispersion modeling analysis to evaluate the potential human health risk from MSAT associated with the proposed action. This analysis is supplemental and included as part of the FEIS (summarized in Volume 6, Chapter 7 and presented in full in Volume 9, Appendix I).

K-059-036

made public to the people of Guam. Additionally, as the proposed military action will exacerbate the potential for negative air quality impact, the final EIS should assign DoD the responsibility for securing funding for this study.

Additionally, Chapter 7 of Volume 6 only provides historical monitoring data for air quality from 1972 – 1991, and does not specify details of this data (including the areas from where data was collected). The final EIS should include this information, as it would be useful to update future studies to reflect and/or determine the impact of the proposed military action on air quality around the island.

**COMMENT** (Submitted online on Feb 18, 10:54am)  
In Chapter 7, Volume 6, Section 7.2.2.1, the DEIS states that SO<sub>2</sub> levels are not a concern based on additional air quality studies conducted by GPA. These studies are not comprehensive enough, however, to account for area that is in- and out-of-range due to wind travel and any major electrical generating units (EGUs).

As such, the final EIS should include a study that accounts for the potential impact of wind-generated dispersal of pollutants and major EGUs.

**COMMENT** (Submitted online on Feb 18, 1:45pm)  
Based on observations of SO<sub>2</sub> concentrations as below 24-hour NAAQS, Guam EPA has requested for redesignation of attainment status. (Volume 6, Chapter 7) However, this has not been adequately addressed by US EPA. The final EIS should note the no-action on part of the US EPA and, if possible, provide additional information on why the US EPA may deny redesignation of attainment status.

**Chapter 8**  
(Noise)

K-059-037

**COMMENT** (submitted online on Feb 17, 5:07pm)  
The DEIS states that “noise impacts result from perceptible changes in the overall noise environment that increase annoyance or affect human health.” (Volume 6, Chapter 8, section 8.2.1.2, page 8-5) However, it is unclear whether a disturbance of animal-life is considered to be a significant impact.

The final EIS should treat the disturbance of animal-life, including endangered or threatened species, as a significant impact. The noise impact analysis should also include contingency plans for how to mitigate noise if endangered or threatened species are found to be noise receptors.

**Chapter 11**  
(Recreational Resources)

K-059-038

**COMMENT** (submitted online on Feb 17, 5:08pm)  
In regards to the increased use of recreational resources by off-island workers, the DEIS states: “Because the increase in the number of construction workers has been projected

**K-059-035**

Thank you for your comment. The DEIS quantifies the air emissions associated with the operation and construction activities related to the proposed action, as detailed in Volumes 2-9. Appendix I (Volume 9) provides a comprehensive discussion of how air quality impacts were assessed for each analysis, and provides individual tables for each set of analyses. Information on health, ecosystem, and other risks associated with criteria pollutants is provided in Table I.2-1 of Appendix I. In regard to SO<sub>2</sub> emissions, the preferred power alternative (Interim Alternative 1 in DEIS and Basic Alternative 1 in FEIS) would be in compliance with the NAAQS. With updates to the current power demand from GPA and estimated demand from the proposed DoD buildup, which has gone down, preferred Alternative 1 was retained in the FEIS and Alternatives 2 and 3 were deemed unnecessary and deleted.

Siting of any project facilities would consider the General Conformity Rule (GCR) and other relevant regulations. As the proposed action is a non-transportation project and would potentially involve activities in the Piti and Tanguisson SO<sub>2</sub> nonattainment areas, the GCR applies to the proposed activities within the nonattainment areas. A general conformity applicability analysis was provided in Section 3.6 of Appendix I.

Greenhouse gas emissions were estimated based on current planning tools, and the analysis follows existing regulatory guidance given for estimating greenhouse gas emissions for a NEPA document. Regulating greenhouse gas emissions is an evolving issue, and further refined analysis methodology and/or guidance are anticipated from regulatory agencies in the near future. The change in climate conditions caused by the burning of fossil fuels is a global effect, and requires that an air quality impact analysis be assessed on a global or regional scale, not at the local scale of a city or an island. The proposed alternatives mostly involve the relocation of the military operations already occurring in the West Pacific region, therefore fossil fuel burning activities in the region

K-059-038

and addressed in relevant planning documents, the relevant planning agencies within the Island of Guam would be in a position to plan for this growth.” (Volume 6, Chapter 11, section 11.2.6.1, page 11-9)

Unfortunately, no other analysis or mitigation discussed. These “relevant planning documents” are not identified. And, the impact of these workers is not identified as a direct, indirect, or induced impact.

The final EIS should clearly state the impact of this increase in off-island workers on recreational resources. Excerpts and citations from these “relevant planning documents” should be presented and utilized in the final EIS, and a discussion should also be included of each mitigation proposal.

K-059-039

**COMMENT** (submitted online on Feb 17, 5:11pm)

The DEIS states that some recreational resources will experience significant impacts due to restricted access during peak construction periods. This restricted access could derive from roadway closures, heavy traffic, and other construction-related activities. The mitigation for these impacts is identified to be the development and implementation of a Traffic Management Plan (TMP). (Volume 6, Chapter 11, section 11.2.6.1, page 11-14)

However, the DEIS does not state whether the local government has the capacity, expertise, or funding to develop and implement a TMP at the scale needed to appropriately regulate the large construction projects associated with these proposed military actions.

The final EIS should include a discussion of whether local capacity exists to handle establishing and implementing a TMP at the scale and scope necessary to accommodate the proposed military action.

The final EIS should also include a section explaining the funding source to aid the development and implementation of the TMP to handle the construction activity associated with the proposed military actions.

The final EIS should also explain why or why not DoD should provide the funding for the development and implementation of the TMP, as it is unlikely that a TMP would be needed (particularly implemented at such a large scale) were it not for the proposed military actions.

**Chapter 12**

(Terrestrial Biological Resources)

K-059-040

**COMMENT** (Submitted online on Feb 18, early morning)

The DEIS states in Volume 6, that there will be Less than Significant Impact regarding the terrestrial biological resource in regards to Power (section 12.2.2) and Wastewater (section 12.2.4) because they would not be impacted under the alternative as proposed activities involved existing facilities. However, the DEIS failed to discuss the indirect

are unlikely to change significantly. Overall global greenhouse gas emissions are likely to remain near the current levels on a regional or global scale, resulting in an insignificant impact to current global climate change trends. This analysis is contained in Volume 7.

Although the analysis indicates less than significant air quality impacts, the DoD intends to consider various options designed to minimize the proposed action’s adverse short-term or long-term air quality impacts, as described in Volume 7. DoD is working with relevant stakeholders to determine an appropriate strategy to for implementing an island wide switch to low sulfur fuel. Therefore, the predicted air quality impacts are considered conservative as potential impacts do not consider the use of cleaner fuel options in the future.

Although DoD is supportive of the need for ambient air quality monitoring, it must follow complicated regulatory siting and data reduction procedures in addition to equipment set-up requirements. For these reasons, EPA and/or state agencies are normally responsible for collecting ambient air quality data and DoD is not responsible for conducting such a study. However, DoD proposes to install one long-term ambient monitoring station for EPA and GEPA to monitor air quality condition on Guam.

**K-059-036**

Thank you for your comment.

The historically monitored ambient air quality program at Guam (collected approximately 20-40 years ago) was included in the discussion of existing monitoring data. Detailed data from this program were not included in the DEIS, as a detailed discussion of air quality conditions 20 years ago including location, levels collected, etc. would be of limited or no use for describing existing ambient air quality conditions occurring now at Guam. Therefore, the paragraph in Chapter 7 of Volume 6 only provides information on the fact that such studies were

K-059-041

impact with the increase wastewater produced from the outfall into the ocean or should GWA continue with a primary system and not a secondary treatment system.

The final EIS should consider what is the indirect impact on terrestrial wildlife of having an increase in fossil fuel pollution and also the impact on the aquatic environment from the new outfalls as well as the greater risk of contamination from increase wastewater flow. It seems that DoD fails to consider what is occurring beyond the direct impact resulting from the military buildup and the final EIS should consider this as significant.

**COMMENT** (Submitted online on Feb 18, 10:48am)

The DEIS states in Volume 6, that there is LSI regarding terrestrial biological resources in regards to the development or improvement of roads on Guam. However, the ROI that is considered is only 0.25 miles within the center of impact (section 12.2). Although a direct impact in the surroundings of the road may be insignificant. The indirect impact can prove to be a critical component that eventually affects important ecosystems around Guam.

The final EIS should consider a larger ROI range to expand protected and endangered ecosystems. The mangroves are great examples of a very productive ecosystem that sustain many wildlife and flora. A road can be constructed or upgraded to prevent the continuous flow of water into the ecosystem. This in effect would cause that ecosystem to fail. Indirect impacts in the development of the road is not readily seen, such as run off from automobiles into rivers would impact an ecosystem that may be miles away from the impact itself.

### **Chapter 13**

(Marine Biological Resources)

K-059-042

**COMMENT** (Submitted online on Feb 18, 2:37pm)

Volume 6, Chapter 19, Public Health and Safety, page 19-7, states, "the USEPA determined that the proposed discharge would not comply with all Guam water quality standards; and may not provide for the attainment or maintenance of water quality which assures the protection and propagation of a BIP of shellfish, fish, and wildlife."

Volume 6, Chapter 13, Marine Biological Resources, fails to identify and provide an analysis impacts resulting from the proposed increase in wastewater discharge on marine biological resources.

The final EIS shall identify the specific aspects of the discharge that do not comply with Guam water quality standards, and the impacts they may have on marine biological resources.

Furthermore, the final EIS should analyze the potential impacts of increased wastewater discharge on the propagation of special-status species and crucial habitat to the recovery of special-status species. Also, the final EIS should provided more detailed mitigation measures associated with these impacts, and assign the cost of such measures to the DoD

historically conducted, but have not been performed in recent years. A comparison of predicted air quality conditions to historical conditions would not assist in determining the incremental increases from the proposed action. As noted in the comment, the most appropriate action would be to monitor current air quality conditions, which requires coordination with federal and Guam government environmental agencies.

Additional air quality monitoring was performed by GPA from 1999-2000 to measure SO<sub>2</sub> at locations that are not downwind or close to major electrical generating units (EGUs). However, GPA also performed air quality dispersion modeling analyses for majority of GPA EGUs in the 1990s to demonstrate the compliance of the National Ambient Air Quality Standards (NAAQS) for running these EGUs under the permitted capacity. The modeling considered the change of wind on an hourly basis and determined the worst-case concentration levels around individual facilities. Therefore, if the military build-up would not affect existing major GPA EGUs' permitted capacities, it can be concluded that the adverse power operational impacts under the proposed action, particularly the Preferred Alternative, would not cause any significant air quality concerns.

The redesignation request of the Piti nonattainment area is currently under review, which is unlikely be completed prior to the issuance of the FEIS.

### **K-059-037**

Thank you for your comment. Potential noise impacts to listed species are presented in Vol. 2, Section 10.2, including Tables 10.2-2 and 10.2-3 and Figures 10.2-6 and 10.2-7. Based on the presented analysis, impacts to species due to noise from the proposed activities would not be significant.

(as such impacts, on this scale, would not occur were it not for the proposed military actions).

**Chapter 14**  
(Cultural Resources)

**COMMENT** (Submitted online on Feb 18, 2:44pm)  
In Volume 6, Chapter 14, Section 14.2.1.1, DEIS states that “all project areas of potential effect (APE) were inspected by cultural resource experts and Guam Historic Preservation Office (GHPO) personnel” (page 14-2). Discussions regarding Guam’s cultural resources should be lead by Guam’s cultural resource experts. This does not appear evident in the DEIS. Indeed, the methodology of this chapter appears to be driven largely by federal agencies: DoD representatives from Guam, CNMI, FSM, Palau, all branches of the US military, US EPA, Advisory Council for Historic Preservation, and the National Park Service (page 14-3). The FEIS must identify the “cultural resource experts” utilized for these studies and also provide details of the projects discussed with the Government of Guam agencies involved (e.g., GHPO, GWA, GPA).

**COMMENT** (Submitted online on Feb 18, 2:46pm)  
In Volume 6, Chapter 14, it is stated that surveys for non-DoD lands are not complete at this time. In spite of this, impacts were assessed to be mitigable to less than significant levels, and impacts to architectural, submerged resources, or traditional cultural properties are not expected (page 14-13). These assumptions are based on survey information that does not exist, and thus this section on Cultural Resources is incomplete and lacks depth. Prior to the final EIS, surveys must be conducted of these areas where construction is expected to occur, and surveys must assess the impact will be made on cultural resources. The public should also be provided with the opportunity to comment on such studies, as required by the NEPA process.

**Chapter 15**  
(Visual Resources)

**COMMENT** (Submitted online on Feb 18, 2:58pm)  
In Volume 6, Chapter 15, it is stated that already existing visual impacts are not documented as potential impacts in the FEIS since they are not due to the actions proposed. This methodology does not consider how the proposed actions add to the already compounded situation. One example is the existing Navy landfill project—continued use of this will impact the visual landscape. The FEIS must account for how existing situations will be further impacted by proposed actions.

**Chapter 16**  
(Marine Transportation)

**COMMENT** (Submitted online on Feb 18, 2:37pm)  
In Volume 6, Chapter 16, Section 16.2.1.3, the public scoping concerns were merely mentioned, but no discussion was provided and no mitigation was offered: “These

**K-059-038**

Thank you for your comment. The increase in construction workers has been projected and addressed in relevant planning documents such as the 2030 Guam Transportation Plan (GTP) (December 2008) and the Guam Comprehensive Outdoor Recreation Plan (2006). Increased population associated with the relocation of Marines and their dependents would create an adverse impact to recreational facilities at existing bases, this would be offset by construction and operation of new recreational facilities at the new Marine Corps base. Impacts to off base recreational facilities would be significant due to the increase in civilian workers over the course of military construction on Guam, and because of the loss of recreational opportunities that would be displaced for the development of new military facilities. Mitigation measures that would be implemented are identified in Volume 2, Section 9.2.2.6. These measures consist of: preparation of a recreational carrying capacity analysis management plan to address recreational user use, demand, preference, conflicts and conditions; making DoD resources available to the Andersen AFB Volunteer Conservation Officer (VCO); collaboration with GDAWR to establish outreach and docent programs at marine preserves and other environmentally sensitive areas on Guam; Marine Corps improvements and maintenance of Tanguisson Beach and coastline north of Hilaan; establishment of outdoor recreation areas on NCTS Finegayan.

**K-059-039**

Thank you for your comment. The traffic management plan or maintenance of traffic will be included in the design for each project. The cost will be included in the design cost and construction cost. The off-base roadway projects may be funded through requests under the Defense Access Road (DAR) Program or annual allocations through FHWA.

K-059-043

K-059-044

K-059-045

concerns related to potential access restrictions to areas in Outer Apra Harbor as a result of the movement of military vessels” (page 16-1). This analysis should have been included in the DEIS so that appropriate comments can be provided in time for the Final EIS. The Final EIS must include more extensive discussion of these concerns: particularly any restrictions that will be imposed, who will be affected by these restrictions, and plans for mitigation, if any.

**Chapter 17**

(Socioeconomic and General Services)

K-059-046

**COMMENT** (Submitted online on Feb 18, 2:15pm)

The DEIS states that GWA had a secondary sewage treatment waiver for the Northern District Wastewater Treatment Plant (NDWWTP) rejected in October of 2009. The DEIS also states that DoD will be expected to “pay for their fair share of the upgrades to the NDWWTP.” (Volume 6, Chapter 17, section 17.2.2.2, page 17-7).

The final EIS should more clearly state the DoD’s impact on the ability of GWA to obtain a secondary sewage treatment waiver. The final EIS should also include a more definitive analysis of DoD’s “fair share of the upgrades,” including cost and cost-sharing estimates.

K-059-047

**COMMENT** (Submitted online on Feb 18, 2:18pm)

The DEIS states that GovGuam public service agencies will need to increase staffing and services by more than 2% to meet the needs associated by the proposed military actions. However, this is deemed to be a less-than-significant adverse impact because currently services are hampered by staffing and budget shortfalls. (Volume 6, Chapter 17, section 17.2.2.5, pages 17-12 and 17-13) In short, the DEIS argues that current services are already poor, so poor standards in the future are an insignificant impact.

While current public services may be understaffed or underfunded, the strain of the proposed military actions will greatly increase the issues facing GovGuam agencies. Thus, public services will become worse under the strain of a drastically increased population, and it will become even more difficult to improve public services.

The final EIS should identify the impact on “Growth Permitting and Regulatory Agencies” as a significant impact. The final EIS should also assign funding responsibility to DoD, inasmuch that DoD must fund GovGuam agencies to the point they are able to provide services meeting standards existing prior to the military buildup.

Additionally, the DEIS suggests a mitigation of creating “incentive programs for military spouses and dependents that apply for and are hired into GovGuam public service agency employment.” (Volume 6, Chapter 17, section 17.2.2.7, page 17-5) This proposed mitigation should be removed from the final EIS, as it will exacerbate unemployment rates of local social workers and public service professional. If such mitigation must be included, the final EIS should include a recommended stipulation that such incentive

**K-059-040**

Thank you for your comment. Some additional analysis of indirect impacts for infrastructure will be included.

**K-059-041**

Thank you for your comment. It is not feasible to estimate indirect impacts to terrestrial wildlife from increased use of fossil fuel as there are so many other factors that may affect these resources. Impacts from new outfalls have been evaluated in the draft EIS. Additional detailed evaluation of discharge changes would be included for any new or revised discharge permits.

Regarding indirect impacts from road improvements, your reference to an ROI of 0.25 miles is confusing and would need further explanation for a direct response. An analysis of indirect impacts from roadway changes will be included in the final EIS.

**K-059-042**

Thank you for your comment. Regarding the discussion of wastewater discharge concerns by the USEPA. The USEPA information was based on “primary” treatment only. The DEIS presents an analysis of potential water quality impacts from wastewater discharges on Guam, and discusses potential impacts to water quality and marine biology that could occur if mitigation measures are not implemented. This is a worst-case scenario that had to be analyzed in the DEIS, but it is not expected to actually occur due to on-going efforts by DoD, Guam Water Authority (GWA) and EPA to bring the Northern District Wastewater Treatment Plant (NDWWTP) into compliance.

The identified mitigation measures that would prevent water quality and marine resource impacts due to inadequate treatment of wastewater are for GWA to make repairs and upgrades to the NDWWTP. The NDWWTP has long-standing non-compliance with its permit, which results in impacts to water quality and marine life today, even absent the buildup.

programs could only be utilized if the local GovGuam agency first demonstrates an inability to hire anybody locally.

K-059-048

**COMMENT** (Submitted online on Feb 18, 2:18pm)

Tourism is important to the economic success of Guam; the DEIS even states that the island's long term prospects remain linked to "the health of its tourism industry." (Volume 6, Chapter 17, section 17.2.2.6, page 17-14) However, the DEIS states that there will be no significant impact on tourism as a result of the utility and roadway work. (Volume 6, Chapter 17)

It is highly unlikely that roadway and utilities projects will not negatively impact tourism on Guam. Increased traffic (with some stoplights experiencing delays in excess of 10 minutes, as stated in Chapter 4 of Volume 6) will create an environment in which tourists will not enjoy traveling around Guam. Tour bus and taxi operators will likely experience decreased ridership due to the unpleasantness of travelling through traffic gridlock, and any tourist location outside of walking distance from tourist center of Tumon will similarly experience a significant drop in visitors.

Additionally, the increase in population will lead to significant crowding in natural outdoor resources. The outdoor environment is a major tourist attraction, and if such locations are crowded, it is likely that tourists will choose to travel to other, less-crowded destinations.

Given these likelihoods, the final EIS should re-evaluate the impact of the proposed utilities and roadways projects on tourism. This analysis should deem the impact on tourism as a significant impact, and provide mitigation recommendations that should be funded by DoD (as these issues would not otherwise exist were it not for the proposed military actions).

**COMMENT** (Submitted online on Feb 18, 2:18pm)

The DEIS states that GovGuam public service agencies will need to increase staffing and services by more than 2% to meet the needs associated by the proposed military actions. However, this is deemed to be a less-than-significant adverse impact because currently services are hampered by staffing and budget shortfalls. (Volume 6, Chapter 17, section 17.2.2.5, pages 17-12 and 17-13) However, the DEIS does not analyze the different linguistic needs of the military-related increase in population.

The DEIS projected increases in off-island workers will necessitate a significant investment in GovGuam public service personnel trained to speak other languages, such as Tagalog. The DEIS even acknowledges this impact, when it suggests mitigation in the form of assisting GovGuam in seeking federal funding for English as a Second Language service training. (Volume 6, Chapter 17, section 17.2.2.7, page 17-16)

However, because this unique increase in need (the large increase in the need for service personnel trained in other languages) is result of the proposed military actions, the responsibility belongs with DoD to provide funding for these services. Were it not for

The DEIS identifies this as a mitigation measure that is not within DoD control because the NDWWTP is owned and operated by GWA. The DEIS does describe the upgrades that would be needed to the plant to bring it into compliance, and commits to paying for DoD's fair share of the cost for these upgrades (share would be based on percentage of flow originating from DoD). Primary repairs and upgrades that are needed at the plant today, primary upgrades needed at the plant to meet the increased flow from DoD, and secondary upgrades needed in the future are all addressed in the DEIS. These upgrades would ensure that water quality standards would be met and marine biological resources protected.

Subsequent to publication of the DEIS, DoD and GWA reached agreement in principal to establish a private entity (PE). The PE would obtain a loan arranged by DoD to upgrade the Northern District Wastewater Treatment Plant (NDWWTP). The PE would operate the plant and pay back the loan with user fees. This would significantly improve the quality of wastewater from the plant, and improve water quality in the ocean areas where the plant discharges. DoD also funded, and has completed, a detailed engineering study that identifies the specific repairs and upgrades needed at the plant for both primary and secondary treatment. This study was fully coordinated with GWA and EPA, and will be discussed in the FEIS. After publication of the DEIS, GWA challenged an EPA requirement to upgrade the plant to secondary treatment. Whether secondary treatment will be required will be determined in the future. Regardless, DoD will pay for its fair share (based on flow) of these secondary upgrades if and when they are required. The FEIS will include this commitment.

**K-059-043**

Thank you for your comment. The DoD conducted archaeological surveys of over 5,000 acres of areas that could be disturbed as part of the Marine Relocation. During a three-year planning process, the Guam

K-059-049

the proposed military actions, GovGuam agencies would not have to expand public services in different languages on such a large scale.

As such, the final EIS should clearly define the need for more public service personnel trained in foreign languages as a significant impact. The final EIS should also assign the responsibility for funding such an increase in services directly on DoD.

**Chapter 18**  
(Hazardous Materials and Waste)

K-059-050

**COMMENT** (Submitted online on Feb 18, early morning)  
Volume 6 Chapter 18 discussed the Hazardous material and Waste. Summary of the chapter indicate that there is less that significant impact in this regard because "BMPs and SOPs would keep the frequency and magnitude of the potential leaks and spills and releases low." Upon reviewing the chapter itself, there is a concern that is warranted when the possibility of hazardous material and waste have the potential of contaminating the environment. Even with the requirement to follow the federal and local guidelines that ensure safe handling of the materials, there is always a statistical possibility that contractors would not adhere to these standards. Reference: The Leo Palace development in Manegnon Hills. If the contractor were not caught in the act of dumping hazardous material non-compliant with the standards, over 60 rivers would be affected as well as the ecosystems that relied on them.

The final EIS should consider that the BMPs and SOPs will not always be complied with and therefore, policies should be outlined specifically so that those reviewing the final EIS will understand the consequences of Hazardous material and Waste. There are many instances where contractors would release chemicals above the NGLA because they did not regard the standards are theirs to follow. If policy and studies are shown in the final EIS to depict the damage to our water, this could further support compliance of the BMPs and SOPs.

**Chapter 19**  
(Public Health and Safety)

K-059-051

**COMMENT** (submitted online on Feb 17, 5:13pm)  
Volume 6, Chapter 19, Public Health and Safety, page 19-5 states, "It is anticipated that Guam clinics and hospital will increase staffing to meet current health care service ratios and will be capable of handling a potential increase in air quality-related illnesses; therefore, less than significant impacts would be anticipated as a result of increased emissions from power plant operations".

"Anticipation" of increased staffing is an insufficient measure to determine less than significant impacts as a result of increased emissions from power plant operations. The DEIS fails to address what funding sources will be used to meet the increase in demand on Guan's clinics and hospital.

SHPO provided information, reviewed work plans, and contributed to the avoidance of archaeological sites and culturally sensitive areas on Guam. As a result of this consultation, most of the archaeological sites were avoided by the proposed construction. Archaeological surveys were conducted by individuals both on Guam and from other areas who met federal professional standards. The studies on traditional cultural properties were conducted by the Micronesia Area Research Center at the University of Guam and included persons that understand and speak Chamorro.

The DoD conducted archaeological surveys of areas that could be disturbed as part of the Build-up, including non DoD lands where access was permitted. If these lands are developed as part of the Marine Relocation, then all unsurveyed areas would be surveyed prior to construction and additional consultation would be conducted.

**K-059-044**

Thank you for your comment. Volume 6, Chapter 2, Figure 2.4-2 shows the details of the existing landfill at Apra Harbor to be expanded. Simulations from major viewing areas have been conducted to demonstrate how the build-out of the proposed Main Cantonment may appear. The resultant figures are shown in Volume 2, Chapter 13, figures 13.2-4 through 13.2-15. Presently, there are no plans to conduct viewing simulations from other viewing areas, such as Routes 2 and 2A, Afilieje Beach Park, and Apra Heights. It is not anticipated the proposed landfill expansion at Apra Harbor would adversely affect Guam's tourism industry. This is because Guam's tourism activities are dispersed island-wide and not concentrated in the vicinity of the landfill. Visitors to Guam are likely to encounter the landfill at a distance—from Afilieje Beach Park or other recreational resources on Agat Bay, from a viewing point further up inland—or momentarily while driving through the area while traveling via Routes 2 or 2A. As such, impacts to tourism activities from the proposed Apra Harbor landfill would be negligible.

Under the preferred action for the Apra Harbor landfill, the height of the

K-059-052

The final EIS shall identify funding sources other than Gov Guam to ensure Guam's clinics and hospital are able to increase staffing to address the predicted increase in air quality related illnesses as a direct result of the proposed military action.

**COMMENT** (submitted online on Feb 17, 5:14pm)

Volume 6, Chapter 19, Public Health and Safety, page 19-5, states that an increase in staffing will meet "current health care service ratios". It does not address the significant population increase as a result of the proposed military action and the impacts this will have on Guam's hospital, which often operates at a 90 – 100% capacity level.

Additionally, with the increase in population due to the proposed military action, it will become more difficult for health care service ratios to improve in the future (due to the difference in population sizes).

The final EIS shall analyze the impact of population growth, as a direct result of the proposed military action, on Guam's "current health care service ratio."

The final EIS shall also analyze the cost and ability of Guam to improve the current health care service ratio under each proposed military alternative, as well as the no-action alternative.

K-059-053

**COMMENT** (submitted online on Feb 17, 5:16pm)

Volume 6, Chapter 19, Public Health and Safety, page 19-5 states, "Some groups of people are especially sensitive to common air pollutants such as particulates and ground-level ozone. Sensitive populations include children, older adults, people who are active outdoors, and people with heart and lung diseases such as asthma (Massachusetts Department of Environmental [MDEP] 2009)".

The EIS shall further analyze the impacts of air emissions on "sensitive populations," since several of Guam's power plants (in particular the Yigo and Harmon power plants) are located adjacent to recreation or fitness complexes utilized by children and adults who are highly active outdoors.

These "sensitive populations" may be significantly impacted by increased emissions as a direct result of the proposed military action due to their close location to power plants.

K-059-054

**COMMENT** (submitted online on Feb 17, 5:17pm)

Volume 6, Chapter 19, Public Health and Safety, Section 19.2.3, page 19-6 states, in relation to water shortfall, that "DoD has identified mitigation measures within DoD control and outside DoD control, including measures that GWA and Gov Guam could implement to address shortfalls".

DoD shall identify the mitigation measures "within DoD control and outside DoD control," and funding sources other than Gov Guam for all "measures that GWA and Gov Guam could implement to address shortfalls" as a direct result of the proposed military action.

existing landfill at Apra Harbor would be raised to 100 feet above mean sea level (msl), which is 48 feet above its current elevation of 52 feet above msl. We acknowledge that grading the landfill alone does not remove view obstruction resulting from the new height of the proposed landfill. What is being proposed is to grade the benches that reflect the existing contours of the area to create a more natural appearance. Furthermore, re-vegetating the landfill would facilitate blending in the landfill with the existing vegetation in the area. Inasmuch as the existing views toward and/or overlooking the landfill are situated at a considerable distance from the landfill (from Route 2, Route 2A, Afilieje Beach Park, and Apra Heights), areas re-vegetated would not be as apparent as they may be if looking from an adjoining property. Landscape plans for the Main Cantonment would be prepared and subject to review during the design phase. Landscape plans prepared in association with the proposed actions must be in conformance with the Record of Decision (ROD) for the EIS.

Overall, if the proposed action or alternatives add or change to the existing visual impacts, those impacts were identified and discussed in the DEIS.

**K-059-045**

Thank you for your comment. The number of vessels visiting the Port of Guam is presented in Volume 2, Chapter 14. Table 14.1-1 provides the number of vessels that visited the Port of Guam. The number of vessels has steadily and substantially decreased from 1995 (2,924 vessels) to 2008 (1,022 vessels). As presented in Section 14.2.2.4, the addition of the vessels associated with the proposed action would result in less than a significant impact on marine transportation in Apra Harbor.

Volume 4, Chapter 14 of the EIS provides information about the transient aircraft carrier. As presented in Section 14.2.2.1 (Operation), the movement of the carrier from the harbor entrance to the wharf requires

**COMMENT** (submitted online on Feb 17, 5:19pm)

Volume 6, Chapter 19, Public Health and Safety, page 19-8 states, "It is anticipated that Guam clinics and hospital will increase staffing to meet current health care service ratios and will be capable of handling a potential increase in wastewater-related illnesses; therefore, less than significant impacts would be anticipated as a result of increased wastewater treatment and discharge activities".

"Anticipation" is an insufficient measure to determine less than significant impacts as a result of increased wastewater treatment and discharge activities. The DEIS fails to address what funding sources will be used to meet the increase in demand as a direct result of the proposed military action.

The EIS shall identify funding sources other than Gov Guam to ensure Guam's clinics and hospital are able to increase staffing to address the predicted increase in wastewater-related illnesses as a result of the proposed military action.

**COMMENT** (submitted online on Feb 17, 5:20pm)

Volume 6, Chapter 19, Public Health and Safety, page 19-8 states, "It is anticipated that Guam clinics and hospital will increase staffing to meet current health care service ratios and will be capable of handling a potential increase in wastewater-related illnesses; therefore, less than significant impacts would be anticipated as a result of increased wastewater treatment and discharge activities."

Separately, Volume 6, Chapter 19, Public Health and Safety, page 19-5 states, "It is anticipated that Guam clinics and hospital will increase staffing to meet current health care service ratios and will be capable of handling a potential increase in air quality-related illnesses; therefore, less than significant impacts would be anticipated as a result of increased emissions from power plant operations."

The DEIS currently anticipates that the above-mentioned increased needs will each be addressed through anticipated increases in health care service providers. However, there is no clear discussion regarding whether the cumulative impacts of these health care issues can all be addressed by simply "anticipating" increased service.

The final DEIS shall analyze and determine if Guam clinics and hospital "will be capable of handling" the cumulative health impacts related to increase the in air quality-related illnesses and water and wastewater-related illnesses as a direct result of the proposed military action.

**COMMENT** (submitted online on Feb 17, 5:22pm)

Volume 6, Chapter 19, Public Health and Safety, Section 12.2.4, page 19-8, states "The DoD would continue using the Navy Sanitary Landfill at the Apra Harbor site for a short period from 2010, when Marine relocations begins, until July 2011, when the Layon Landfill is scheduled to open for disposal of municipal solid waste. The Navy Sanitary

up to four assist tugboats. When the aircraft carrier is transiting through Outer Apra Harbor, other vessels are restricted from using the channel for security and safety reasons. Under the proposed action for the transient aircraft carrier, there would be a cumulative total of up to 63 visit days per year with an anticipated length of 21 days or less per visit.

**K-059-046**

Thank you for your comment. Subsequent to issuing the DEIS, DoD and Guam Waterworks Authority (GWA) reached agreement in principle to establish a special private entity (SPE). This SPE would obtain a loan arranged by DoD to upgrade the North District Wastewater Treatment Plant (NDWWTP). The SPE would also operate the plant and pay back the loan with user fees. The DoD would pay user fees established by a customer service agreement with GWA that would enable the SPE to repay the loan. Future upgrades to add secondary treatment to the NDWWTP, if required, would be funded by the users based on their percentage of demand. The DoD would be one of the highest users would bear their fair share of that upgrade. Fair share means that DoD would pay user fees which will pay back the cost of the upgrade based on DoD's percentage of flow to the plant (currently estimated at 33%). This has been stated in the final EIS.

**K-059-047**

Thank you for your comments and recommendations. Many comments on mitigation measures were received during the DEIS comment period. Subsequently discussion of mitigation measures has been expanded in the Final EIS.

Please see Section 4.4.1 of the Socioeconomic Impact Assessment Study (SIAS), which is Appendix F, Volume 9 of the DEIS for information on the expected impacts the proposed action would have on the government of Guam's (agencies) staffing requirements. The analysis in the SIAS includes both direct and indirect impacts including those who

Landfill is unlined; therefore leachate has the potential to affect the underlying groundwater."

The DEIS fails to provide an analysis of specific contaminants that may enter the groundwater system through continued and increased use of the unlined Navy Sanitary Landfill. Leachate is a broad term that refers to a liquid that drains or leaches from a landfill and does not provide the specificity required to determine if the impacts would be significant to the groundwater system.

The EIS shall identify and analyze specific contaminants that may enter the groundwater system through continued and increased use of the unlined Navy Sanitary Landfill.

The EIS shall also prepare and submit a Solid Waste Composition and Characterization study to detail the types of wastes and their hazards.

K-059-056

**COMMENT** (submitted online on Feb 17, 5:24pm)  
Volume 6, Chapter 19, Public Health and Safety, page 19-7 states, "USEPA has determined that the proposed discharge" of wastewater "would not comply with all Guam water quality standards and may not provide for the attainment or maintenance of water quality which assures the protection and propagation of a BIP of shellfish, fish, and wildlife. Concentrations of lead have been predicted to exceed water quality criteria at the ZID for the proposed discharge. Further, USEPA has determined that the proposed discharge would not meet water quality criteria for bacteria at the ZID; this, the proposed discharge may adversely affect recreational activities (USEPA 2009b)."

Chapter 19, Volume 6 of the DEIS fails to identify mitigation measures to reduce the significant impacts of increasing wastewater discharge on the northwestern shoreline of Guam. The proposed discharge "would not comply with all Guam water quality standards", and the federal Clean Water Act, which employs a variety of regulatory tools to achieve the goal of "restoring and maintaining the chemical, physical, and biological integrity of the nation's water so that they can support the "protection and the propagation of fish, shellfish, and wildlife and recreation in and on the water."

The DEIS also fails to define "ZID" and "BIP."

The final EIS shall define "ZID" and "BIP" in order to provide clarity to the areas which they refer.

The EIS shall also identify, analyze and employ regulatory tools derived from the Clean Water Act to reduce the stated impacts of increasing wastewater discharge on the northwestern shoreline in order to meet Guam water quality standards.

#### **Chapter 20**

(Environmental Justice and the Protection of Children)

No comments needed – Jimmy

move to Guam for work related to the proposed action.

Another study, funded by DoD's Office of Economic Adjustment (OEA) is underway, this is the Fiscal Impact Assessment that identifies the needs of the government of Guam and where the money to fund the needs could come from.

Relating to funding - incoming populations (such as the induced population during the operational period) would likely have dependents that would attend the Guam public school system. Based on income of military civilian workers and the goals set for the education of their children, many will send their children to private and/or parochial schools. The benefits to the community that the base is in, consists primarily of money that the new population provides to the local government from taxes, licenses, and fees. This money would go to the government's revenues. The executive and legislative branches of the government can then fund social, cultural, health, and other programs they feel are needed to benefit Guam.

If the services provided by Guam in the areas of utilities, infrastructures, social and health care, public schools, protective services, are inadequate (this is noted in the SIAS), the income (from the new population) will not be able to pay for all the required needs, especially any capital improvements. The Joint Guam Program Office (JGPO) has been working with and will continue to work with local and federal agencies to determine where funding can be supported. This has been and will continue to be an ongoing process and is exacerbated by the current worldwide economic crises. It is noted that, DoD funds are focused on the military and defense needs of the U.S., so JGPO may find that other funding alternatives must also be put into place to avoid and/or minimize impacts to the government of Guam. Where possible and appropriate, JGPO and/or DoD will support grants, loans, and other funds that focuses on improvements that are within the objectives of the

sponsoring federal agency.

## Chapter 21

K-059-057

**COMMENT** (submitted online on Feb 18, 2:31pm)

The DEIS states that the Guam National Wildlife Refuge (GNWR) is not subject to the protective provisions of Section 4(f) because the wildlife refuge is not considered a accessible publically owned wildlife refuge. (Volume 6, Chapter 21, section 21.3.2, page 21-6)

However, the environmental law known as Section 4(f) applies to the preservation of wildlife and waterfowl refuges in general; and, the GNWR was established for just such a purpose. By encroaching into the GNWR, DoD will be potentially cause harm to wildlife and waterfowl protected in that area. Additionally, as waterfowl and wildlife tend to travel between the GNWR and other, more public areas, it is likely that the proposed military actions will directly negatively impact wildlife outside the GNWR.

As such, the final EIS should treat the GNWR as subject to Section 4(f), and any related analyses should be updated to incorporate this correction.

K-059-058

**COMMENT** (submitted online on Feb 18, 2:33pm)

The DEIS states that the Department of Public Works will have to evaluate the feasibility of constructing a retaining wall alongside Chinese Park, following roadway expansion required by the proposed military actions. (Volume 6, chapter 21, section 21.5.1, page 21-12) Since this study, and the possible resulting construction work, is due to the proposed military action, the final EIS should assign DoD with the responsibility to fund both the study and the retaining wall construction and upkeep costs.

## **K-059-048**

Thank you for your comment. Public comments on the DEIS are an important part of the decision-making process. This information becomes part of the FEIS and is evaluated when DoD prepares the FEIS and issues a Record of Decision at the end of the NEPA process.

In the Socioeconomic Impact Assessment Study (SIAS), found in Appendix F of Volume 9 in the DEIS, the number of off-island H2B visa foreign laborers was estimated. Two scenarios were reviewed: the maximal number (unconstrained) and a constrained scenario. In Section 4.4 of the SIAS, there is detailed discussion and analysis of impacts to public services; some of the public services would be impacted by temporary workers and some would not. The Navy would require contractors who work on DoD projects to provide healthcare for their employees, including off-island/H2B workers. A small percentage may seek health and/or social services provided by Guam. However, workers would also contribute to the Government of Guam revenues in form of personal income and gross receipts taxes; corporations would pay corporate income taxes (See section 4.3.3, page 4-24 of the SIAS). The additional money would flow into Guam's revenues and, depending on executive and legislative branches decisions, could be used to provide for additional public health and social services.

Relating to the population figure of about 80,000 people; it should be noted the figure represents a maximal figure when most of the construction workers are still on Guam and the military populations arrive (2014); once construction is completed, the operational population would be about 33,400 (2016) (see the SIAS, Table ES-1, on page iii).

Mitigation measures (as appropriate) to address the significant impacts are discussed in the Final EIS

**K-059-049**

Thank you for your comment. Your mitigation recommendation has been taken under consideration. During the DEIS comment period a number of mitigation measures were suggested; subsequently, expanded discussions on mitigation measures are included in the FEIS.

**K-059-050**

Thank you for your comment. The DoD is committed to the protection and responsible stewardship of the environment. In addition, the DoD is committed to the safe handling and use of all hazardous substances, including fuels, lubricants, solvents, munitions and explosives of concern (MEC), nuclear materials, pesticides, herbicides, PCBs, nuclear materials, and other hazardous substances. In fact, when feasible, the DoD attempts to reduce or eliminate the use of various hazardous substances to the greatest extent possible and substituting them for less toxic substances. When using hazardous substances, environmental laws and regulations (e.g., RCRA) must be followed by DoD that are designed to be protective of human health, welfare, and the environment. In order to implement these laws and regulations, DoD has developed various procedures, protocol, and directives designed to proactively eliminate or minimize the inadvertent leakage, spill or release of pollutants to the environment. These actions involve comprehensive administrative, engineering, and operations mandates, best management practices (BMPs), standard operating procedures (SOPs), and controls in place to prevent or minimize the inadvertent leakage, spill, or release of hazardous/toxic substances.

These BMPs, SOPs, and other controls are fully described in the EIS document (Volume 7). Note that BMPs and SOPs are not considered “mitigation measures” because these actions are being done as part of

existing laws and regulations and not as part of new “mitigation”. However, if a leak, release, or spill is suspected or confirmed, aggressive mitigation measures are used to first clean up the leak, spill, or release as quickly as possible, followed by an assessment of risks to the public and/or the environment and a plan to remediate these risk concerns to within regulatory acceptable levels. These actions generally include environmental media (e.g., groundwater, surface water, soil, air, and/or biota) sampling and monitoring to ensure that and hazards are mitigated quickly and effectively. In many cases, part of remediation plan includes the requirement to perform regularly scheduled long-term sampling and monitoring of environmental media to ensure that remedial actions have been effective. If long-term monitoring indicates that risks to human health or the environment are still unacceptable, more aggressive remediation approaches are considered. In fact, many such clean-up efforts are underway. As part of the clean-up process, the DoD provides various opportunities for the general public, stakeholders, and other interested parties to get involved in the process. One such opportunity is Restoration Advisory Boards (RABs) where interested party questions and concerns may be communicated. These comprehensive actions (e.g., BMPs, SOPs, etc.) will protect public health, welfare, and the environment from adverse impacts associated with the use of hazardous substances.

**K-059-051**

Thank you for your comment. Incoming populations (such as the induced population during the operational period) would likely have dependents that would attend the Guam public school system. Based on income of military civilian workers and the goals set for the education of their children, many will send their children to private and/or parochial schools. The benefits to the community that the base is located within consists primarily of money that the new population provides to the local government from expenditures, taxes, licenses, and fees. This money would go to the government's revenues. The executive and legislative

branches of the government can then fund social, cultural, health, and other programs they feel are needed to benefit Guam.

As documented in this EIS, DoD acknowledges the existing sub-standard conditions of key public infrastructure systems and social services on Guam and the interest to have DoD fund improvements to these systems and services. DoD's ability to fund actions is limited by Federal law. However, to minimize adverse impacts associated with the proposed military relocation program, DoD is leading a federal inter-agency effort to identify other Federal programs and funding sources that could benefit the people of Guam.

**K-059-052**

Thank you for your comment. Please see Section 4.4.1 of the Socioeconomic Impact Assessment Study (SIAS), which is Appendix F, Volume 9 of the DEIS for information on the expected impacts the proposed action would have on the government of Guam's (agencies) staffing requirements. The analysis in the SIAS includes both direct and indirect impacts including those who move to Guam for work related to the proposed action. Another study, funded by DoD's Office of Economic Adjustment is underway, this is the Fiscal Impact Assessment that identifies the needs of the government of Guam and where the money to fund the needs could come from.

The anticipated military population that would come to Guam from the proposed project would have their own schools, medical and dental services (clinics and the Guam Naval Hospital), recreational facilities, and stores. This new population like the existing military population on Guam, would not seek out many services typically provided by or funded by the government of Guam. Other incoming populations (such as the induced population during the operational period) would likely have dependents that would attend the Guam public school system. Based on income (on the average higher than the average of the existing Guam

residents) of military civilian workers, it is anticipated that many will send their children to private and/or parochial schools. Except for the induced population (that includes FAS people), the revenues generated by the new population would not likely depend on many governmental services. Additionally, the benefits to the community that the base is located within, consists primarily of money that the new population provides to the local government from taxes, licenses, and fees. This money would go to the government's revenues. The executive and legislative branches of the government can then fund social, cultural, health, and other programs they feel are needed to benefit Guam.

As documented in this EIS, DoD acknowledges the existing sub-standard conditions of key public infrastructure systems and social services on Guam and the interest to have DoD fund improvements to these systems and services. DoD's ability to fund actions is limited by Federal law. However, to minimize adverse impacts associated with the proposed military relocation program, DoD is leading a federal inter-agency effort to identify other Federal programs and funding sources that could benefit the people of Guam.

**K-059-053**

Thank you for your comment. The National Ambient Air Quality Standards (NAAQS) are health-based standards to protect public health, including sensitive receptors. According to Clean Air Act, each power plant is required to obtain an air permit for construction and operation. When a power plant is under construction or modification, the air permitting process would require the plant owner to demonstrate that the emissions released from the permitted operational capacity would not cause any violation of NAAQS and therefore the public health conditions would be protected. In the early 1990s, Guam Power Authority (GPA) had performed air quality impact analyses for its own power facilities including Yigo. In those analyses, GPA demonstrated that the power plants like Yigo would not result in any exceedances of the NAAQS

beyond the facility boundary, including the sensitive neighborhood around the plant. Since the Preferred Interim Alternative 1 under the proposed action would not result in any increase to the existing power plant permitted capacity, it can be concluded that the preferred alternative would not cause any exceedances of the NAAQS and/or result in a significant air quality impact to sensitive receptors located around GPA power plants.

**K-059-054**

Thank you for your comment. As documented in this EIS, DoD acknowledges the existing sub-standard conditions of key public infrastructure systems and social services on Guam and the interest to have DoD fund improvements to these systems and services. DoD's ability to fund actions is limited by Federal law. However, to minimize adverse impacts associated with the proposed military relocation program, DoD is leading a federal inter-agency effort to identify other Federal programs and funding sources that could benefit the people of Guam.

**K-059-055**

Thank you for your comment. Please see Section 4.4.1 of the Socioeconomic Impact Assessment Study (SIAS), which is Appendix F, Volume 9 of the DEIS for information on the expected impacts the proposed action would have on the government of Guam's (agencies) staffing requirements. The analysis in the SIAS includes both direct and indirect impacts including those who move to Guam for work related to the proposed action.

Another study, funded by DoD's Office of Economic Adjustment is underway, this is the Fiscal Impact Assessment that identifies the needs of the government of Guam and where the money to fund the needs could come from. Incoming populations (such as the induced population during the operational period) would likely have dependents that would

attend the Guam public school system. Based on income of military civilian workers it is likely that many will send their children to private and/or parochial schools. The benefits to the community that the base is located within, consists primarily of money that the new population provides to the local government from taxes, licenses, and fees. This money would go to the government's revenues. The executive and legislative branches of the government can then fund social, cultural, health, and other programs they feel are needed to benefit Guam.

Thank you for your comment. As documented in this EIS, DoD acknowledges the existing sub-standard conditions of key public infrastructure systems and social services on Guam and the interest to have DoD fund improvements to these systems and services. DoD's ability to fund actions is limited by Federal law. However, to minimize adverse impacts associated with the proposed military relocation program, DoD is leading a federal inter-agency effort to identify other Federal programs and funding sources that could benefit the people of Guam.

**K-059-056**

Thank you for your comment. Text has been revised to define BIP (balanced indigenous population) and ZID (zone of initial dilution). The DEIS presents an analysis of potential public health and safety impacts from wastewater discharges on Guam, and discusses potential increases in the number of wastewater-related illnesses that could occur if mitigation measures are not implemented. This is a worst-case scenario that had to be analyzed in the DEIS, but it is not expected to actually occur due to on-going efforts by DoD, Guam Water Authority (GWA) and EPA to bring the Northern District Wastewater Treatment Plant (NDWWTP) into compliance. The identified mitigation measures that would prevent water quality impacts due to inadequate treatment of wastewater are for GWA to make repairs and upgrades to the NDWWTP. The NDWWTP has long-standing non-compliance with its

permit. The DEIS identifies this as a mitigation measure that is not within DoD control because the NDWWTP is owned and operated by GWA. The DEIS does describe the upgrades that would be needed to the plant to bring it into compliance, and commits to paying for DoD's fair share of the cost for these upgrades (share would be based on percentage of flow originating from DoD). Primary repairs and upgrades that are needed at the plant today, primary upgrades needed at the plant to meet the increased flow from DoD, and secondary upgrades needed in the future are all addressed in the DEIS.

Subsequent to publication of the DEIS, DoD and GWA reached agreement in principal to establish a private entity (PE). The PE would obtain a loan arranged by DoD to upgrade the Northern District Wastewater Treatment Plant (NDWWTP). The PE would operate the plant and pay back the loan with user fees. This would significantly improve the quality of wastewater from the plant, which would result in improved water quality. DoD also funded, and has completed, a detailed engineering study that identifies the specific repairs and upgrades needed at the plant for both primary and secondary treatment. This study was fully coordinated with GWA and EPA, and will be discussed in the FEIS.

After publication of the DEIS, GWA challenged an EPA requirement to upgrade the plant to secondary treatment. Whether secondary treatment will be required will be determined in the future by EPA Region 9, GWA and GEPA. Regardless, DoD will pay for its fair share (based on flow) of these secondary upgrades if and when they are required. The FEIS will include DoD's commitment related to funding upgrades of at the plant.

**K-059-057**

Thank you for your comment. The Section 4(f) law applies only to those lands that are publicly owned for which the officials having jurisdiction over the property determine that its major purpose is to function as a park, recreation area, or refuge. The Guam National

Wildlife Refuge (GNWR) Overlay (the portion within the boundaries of NCTS Finegayan and Andersen Air Force Base) does not constitute its “major purpose.” The officials having jurisdiction over administering the property in question (the GNWR Overlay) is the Department of Defense, who recognized and codified in the agreement with the US Fish and Wildlife Service that the military needs of the agency take precedence and shall receive priority consideration over the USFWS’ mission. The final Section 4(f) Evaluation has been clarified to say that it is only the refuge overlay portion of the GNWR that is affected.

**K-059-058**

Thank you for your comment. The off-base roadway projects may be funded through requests under the Defense Access Road (DAR) Program. The Defense Access Road Program provides the means for the Department of Defense to pay a fair share for public highway improvements required as a result of a sudden or unusual defense-generated traffic impact or unique defense-related public highway requirement. All off-base roads, including the retaining wall along Chinese Park would be owned and maintained by Guam Department of Public Works.

Senator Judith Paulette Guthertz, DPA  
Assistant Majority Leader



*I Mina Trenta na Liheslaturan Guåhan*  
Thirtieth Guam Legislature

CHAIRPERSON, COMMITTEE ON THE GUAM MILITARY BUILDUP AND HOMELAND SECURITY  
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FEBRUARY 15, 2010

FOR DISTRIBUTION LIST

**PAPERS RELATIVE TO COMMENTS ON DRAFT  
ENVIRONMENTAL IMPACT STATEMENT (DEIS)**

**ON THE PROPOSED GUAM MILITARY BUILDUP**

**K-060-001** Attached is a compilation of eight documents containing comments regarding the Draft Environmental Impact Statement (DEIS) on the proposed Guam Military Buildup. The first five documents have been authored by myself, containing more than thirty "comments" on the DEIS, and the final two documents are resolutions of the Guam Legislature. The documents are:

1. January 21, 2010, paper on land issues which suggests a new alternative that locates all of the housing and firing ranges within the current footprint.
2. January 28, 2010, paper on stretching and spreading the relocation of the Marines. It suggests a new alternative for moving 4,000 Marines over an eight year period. The size and speed of the current proposal is just too many and too fast for Guam's infrastructure and public services to adapt. Governor Benigno Fitial of the Commonwealth of the Northern Marianas (CNMI) publicly stated (PDN, February 12, 2010, p. 3) that "his island [the CNMI] would more than welcome the Futenma Marines."
3. February 2, 2010, paper on the creation of a social and civilian infrastructure arrangement, a formal Civilian-Military Advisory Council (CMAC) as part of the Guam First commission as well as an informal monthly "leaders meeting" to ensure that the relationship between the civilian and military communities is a healthy one.
4. February 8, 2010, paper on the nuclear aircraft carrier berthing issue which proposes a new alternative that avoids any destruction of coral while permitting increased visits by the aircraft carriers by moving the ammunition ships to deep water buoys in the outer harbor for the limited overlap times when an aircraft carrier is using Kilo Wharf.

**K-060-001**

Thank you for your comment. We received the eight documents mentioned in your letter and have responded to them in Volume 10 of the Final EIS.



Letter from Sen. Judith Guthertz  
To Distribution List  
February 15, 2010  
Page no. 2

## K-060-002

Thank you for your comment. DoD will continue to work closely with the citizens and Government of Guam on these important issues associated with the proposed military relocation program.

K-060-001

5. February 12, 2010, paper containing more than thirty "comments" on the DEIS covering a myriad of subjects. It poses eleven questions about a last-minute "pop-up" proposal to base twelve Joint High Speed Vessels (JHSV) in Guam. It concludes by providing twelve measures whereby the Federal Government might establish goodwill and trust of the people of Guam for the buildup and mitigate the social-cultural impacts and four items provided to the Commonwealth of the Northern Mariana Islands in a Technical Agreement to the Covenant that should be extended to Guam.

6. Resolution 258, authored by myself, and adopted unanimously, which expresses strong opposition to any condemnation (eminent domain) of land.

7. Resolution 275 (LS), which I co-sponsored, which expresses the position of the Guam Legislature on the DEIS. It was also adopted unanimously.

K-060-002

### SUMMARY:

It has become obvious that the challenges associated with the proposed buildup on Guam, as presented in the DEIS, is too big for Guam to underwrite on its own. The local governmental services and infrastructure are not up to the challenge. The final paper identifies about five billion dollars of items needed by the local government to meet the needs that will be generated by the buildup. Only minimal assistance has been forthcoming from the Federal Government which has placed this unfunded mandate upon 178,000 American citizens living on a tiny island of only 212 square miles.

I have maintained the same position since the very beginning, back during the scoping meetings in 2007. My position is that the Guam military buildup must be a "win-win" situation, bringing a better quality of life for the civilian community while meeting the core needs of the military. My committee's motto has been, from the start, "If it is not win-win, we both lose." This must be a partnership of mutual benefit, where planning for the buildup must not be one-sided, and wherein the desires and expertise of the people of Guam are included in the process. We must have an equal say in the military planning for Guam in order to ensure "One Island, One People, and One Quality of Life" for everyone in Guam.



Letter from Sen. Judith Guthertz  
To Distribution List  
February 15, 2010  
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Senseramente,

Judith P. Guthertz, DPA  
Senator

- C: Barack Obama, President of the United States  
The Honorable Felix P. Camacho, Governor of Guam  
The Honorable Hillary R. Clinton, Secretary of State  
The Honorable Robert Gates, Secretary of Defense  
The Honorable Ray Mabus, Secretary of the Navy  
The Honorable Michael B. Donley, Secretary of the Air Force  
The Honorable Madeleine Z. Bordallo, Guam Delegate to Congress  
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The Honorable Roger Natsuhara, Assistant Secretary of the Navy for Installations and Environment  
The Honorable Anthony Babauta, Assistant Secretary of the Interior for Insular Affairs  
Rear Admiral Douglass Biesel, U.S.N., Commander, Joint Region Marianas  
Brigadier General Philip Ruhlman, U.S.A.F., Deputy Commander, Joint Region Marianas  
All Senators, 30th Guam Legislature  
MG David Bice, USMC Ret.), Executive director, Joint Guam Program Office (JGPO)

Senator Judith Paulette Guthertz, DPA  
Assistant Majority Leader



*I Mina Trenta na Liheslaturan Guåhan*  
Thirtieth Guam Legislature

CHAIRPERSON, COMMITTEE ON THE GUAM MILITARY BUILDUP AND HOMELAND SECURITY  
155 Hesler Place, Hagåtña, Guam 96910 • Phone: (671) 472-1111 (5834) • Fax: (671) 472-3547 • judguthertz@pticom.com

February 12, 2010

Major General David Bice, USMC (Ret.)  
Executive Director  
Joint Guam Program Office (JGPO)  
PSC 455 Box 152, FPO AP 96540-1000

**Re: OFFICIAL COMMENT SUBMISSION ON THE DRAFT ENVIRONMENTAL  
IMPACT STATEMENT (DEIS)**

Dear General Bice:

Previously, I have submitted four official comment papers on the DEIS. They are:

- 1) January 21, 2010, on Land Issues in which I say "NO ACTION" for any use of public or private land outside the current military footprint and absolutely no Federal land condemnation in Guam for the buildup or other purposes and suggest a new alternative that locates all of the housing and firing ranges within the current footprint.
- 2) January 28, 2010, on Stretching and Spreading the relocation. This paper says "NO ACTION" on the proposed schedule for relocating the Marines and the proposed number, 8,600 permanent plus 2,000 transient Marines. A new alternative should be developed for moving 4,000 Marines to Guam over an eight year period. The size and speed of the current proposal is just too many and too fast for Guam's infrastructure and public services to adapt.
- 3) February 2, 2010, on creating a Social and Civil Infrastructure arrangement, which proposes to create a formal Civilian-Military Advisory Council (CMAC) as part of the Guam First commission patterned after the provision in the Technical Agreement in the Covenant of the Commonwealth of the Northern Mariana Islands. Additionally, this paper proposes an informal monthly "Leaders' Luncheon" to ensure that the relationship between the civilian and military communities is a healthy one. There is nothing in the DEIS on this matter.
- 4) February 8, 2010, on the nuclear aircraft carrier berthing issue. This paper says "NO ACTION" on the preferred location contained in the DEIS. The paper proposes a new alternative which protects the core interests of both the military and the civilian community. No coral would be destroyed under this alternative that would see the



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To Joint Guam Program Office  
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ammunition ships moved to deep water buoys in the outer harbor for the limited overlap times when an aircraft carrier is using Kilo Wharf.

- 5) Guam Legislature Resolution 258-30 against land condemnation is also an official "comment" on the DEIS. A copy is attached.

This wrap-up comment paper includes those four previous papers and three resolutions as my official "comment" and adds the following miscellaneous collection of comments on the DEIS.

1. Placement of new military facilities that the public will visit or use should NOT be deep inside the military installations. Rather, they should be located next to the perimeter fence line, with an outer fence and inner fence arrangement. This would permit easy access for the civilian community to the military schools for plays, special events, and access to athletic fields and so forth. When the civilians come to these facilities, the outer gates can be opened and the inner gates can be closed to continue security for the main cantonment while having open access to these facilities.
2. A preference should be given to Guam residents for civil service jobs in Guam.
3. The drinking age disparity between the Marines, the Air Force, and the Navy needs to be addressed and resolved prior to the buildup. Currently, the minimum age for Marines in Okinawa is 20, on or off base. The Air Force in Guam has 18 for the drinking age, while the Navy has 21. The drinking age in the civilian community is 18. Therefore, it is possible that many Marines will be renting houses or apartments off base in order to drink. Further, many Marines will be driving off-base to drink with the potential dangers of DUI and accidents occurring. Vol. 2, page 18-19 has a minimal discussion of this matter and has a list of four ways to reduce traffic incidents. However, this is totally inadequate. A dedicated telephone line needs to be established for anyone to call the joint patrols in the bar areas to report situations getting out of control.
4. The military has not provided any justification for the selection of the number (8,600 active duty Marines and 2,000 transient Marines). How were those numbers derived?



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5. How can the public comment on the location of the Army missiles when it is classified? Secretary of Defense Robert Gates, on February 4, 2010, pledged to Congress that the process would be transparent. We therefore need to know everything about the Army missile initiative so that informed comments can be made to fulfill the mandates of NEPA.
6. The DEIS frequently references "the 2009 Land Use Plan for northern and central Guam by the Bureau of Statistics and Plans." The DEIS should state that this plan has not been finalized nor has it been approved by the Guam Legislature. It is subject to change and it is not an official document without Legislative approval.
7. Public access along the beaches on the west coast, below the cliff line, below the main cantonment area must be maintained.
8. Vol. 2, Section 16-1.6.1 (page 16-31) is on Chamorro Issues and Interests. This section is absolutely inaccurate regarding Guam history. The section states: "Chamorros were first conquered by the Spanish soon after contact with Magellan's expedition. Most dies of disease within a hundred years after contact." Magellan arrived in 1521. Spanish ships visited the islands about once per year until 1668, trading iron for food and water. Spain claimed Guam in 1565, but no Spaniard stayed overnight on the land until 1668. The Spanish-Chamorro War lasted from 1672 until 1695. Chamorros were forced off of the other islands in the Marianas into five villages on Guam for control purposes. This created a situation for disease with the population decreasing from about 60,000 on first contact down to only 3,000 in 1700. These words should replace the inaccurate words.
9. Vol. 2, section 16.1.6.4 (page 16-36) has a major error for the paragraphs on the Chamorro Land Trust Commission and the Guam Ancestral Lands Commission. The two entities are reversed. The description under the CLTC applies for the GALC and vice versa. Also, there is no mention made of the land bank under the Guam Ancestral Lands Commission which is designed to hold the "Crown Lands" which are returned lands with no original land owners. These lands are to be developed with the proceeds going to those who lost land who will never get them back. This is the category of the Former FAA Housing Area and the Marbo area identified in the DEIS as being desired by the military.



Comment submission on DEIS from Sen. Judith Guthertz  
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10. Vol. 2, Section 16.1.6.4 (page 16-36) has an inaccurate definition of the term "native Chamorro." It claims that a "native Chamorro" is "defined as anyone descended from people residing on Guam from the period between 1898 and prior to the 1950 Organic Act." This is not so. The law specifies that a "native Chamorro" is anyone who became a U.S. citizen by virtue of the 1950 Organic Act or descendent thereof. There is a significant difference which is very important.
11. Vol. 2, Section 16 is very deficient in discussing Chamorro interests and issues. Section 16.1.6 on Sociocultural Issues is only six pages long with two of those six being devoted to a discussion of the situation on Okinawa. This treatment of perhaps the most important environmental impact of the buildup needs a very thorough and complete study. It needs a complete "rewrite and resubmit." Possible mitigation items to bring environmental justice on these matters are presented below.
12. Vol. 2, Section 16.1.6, page 16-32, states, "The Navy's administration of Guam was disrupted during WWII, when in 1941, following the invasion of Pearl Harbor, Japanese military forces bombed Guam." Does the writer have any feel for American history? The statement should read that the Japanese military forces invaded Guam after they bombed Pearl Harbor. Every American should know that the Japanese did not invade Pearl Harbor.
13. Vol. 2, Section 16.1.6.5, page 16-37, references various community surveys about the buildup. The most recent survey mentioned is a "Guam Chamber of Commerce survey in early 2009 which again found about a 70% favorable response, with slightly higher support among less affluent households." Every astute observer in Guam will state that public support for the buildup has shifted in the negative direction very rapidly since November of 2009 when the DEIS was released. A new survey needs to be conducted by a professional, objective entity. The Guam Chamber of Commerce is not objective on the buildup.
14. The Army has just announced it is thinking of basing up to 12 Joint High Speed Vessels (JHSV) in Guam. These ships will be able to attain speeds up to 45 mph and carry about 300 troops per ship. This needs to be incorporated within the FIS. The following questions jump to the mind about these vessels being located in Guam:

- When would this addition of these forces occur?



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- Where would they be sited?
  - How many personnel and dependents are involved?
  - Where will the dependents be housed?
  - What is their operational range? Can they reach Okinawa?
  - What is their operational concept for being based in Guam?
  - Under which command would they fall?
  - Why isn't this project included within the Joint Military Program Office?
  - Why wasn't this project included within the Draft Environmental Impact Statement (DEIS) that we are reviewing now?
  - Has the Army coordinated this project with the other services?
  - What is the economic impact anticipated by this move?
15. Regarding Volume 2, Table 2.3-7, what are the feasibility and sustainability criteria used in considering the sites for live firing ranges? What were the factors considered in evaluating these criteria?
16. Regarding Surface Danger Zones (SDZ), how is it determined and what are the criteria and factors involved in determining the size of the SDZ?
17. The southern border for Alternative A for the firing range in Marbo area is not precisely located. The exact position is critical since a private driveway and two private houses appear to be located on that borderline. Are they within or without the area of Alternative A?
18. Other recommendations to establish goodwill and trust of the people of Guam for the buildup and mitigate the social-cultural impacts are:
- The Federal Government subsidize public primary and secondary education on Guam to fill the gap between the per student funding provided by the Government of Guam and the national average per student funding, based on the Government of Guam spending at least \$200,000,000.00 on public primary and secondary education each year.
  - The Federal Government forgive all debts owed to the Federal Government by the Government of Guam as of September 30, 2014.
  - The Federal Government establish a public regional medical center for the Guam region that can accommodate all those who cannot afford medical insurance and the increased demand from veterans and Compact Impact residents.



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- The Federal Government address those long standing issues as identified in Guam Legislative Resolution 275-30.
- The Federal Government open negotiations with those former land owners of lands condemned by the federal government post World War II who were not included in the class-action settlement of the mid-1980's. These include the large land owners who used to own the land that now constitutes NCTS and Andersen AFB.
- The Federal Government establish a vocational training school, as part of the Guam Community College that will train at no cost local residents to obtain jobs associated with the buildup. The graduates will be obligated to work on jobs associated with the buildup on a one-to-one time basis for the training received.
- The Federal Government shall include the University of Guam and Guam Community College, which are fully accredited by the Western Association of Schools and Colleges, as institutions which shall have the right to offer academic certificate, and continuing education programs on all base facilities – old and new – for military and federal personnel and their dependents. That shall be treated equally as are U.S. – based colleges and universities.
- The Federal Government build a museum and depository of artifacts for the people of Guam.
- The Federal Government build a convention and cultural center for the people of Guam.
- Greater participation for Guam in Federal and other public transportation programs.
- Assistance with economic development initiatives.
- Necessary federal funding required to meet the capital infrastructure obligations imposed on Guam as a result of the buildup, to include but not be limited to utilities, educational facilities and healthcare facilities. Specific programs include:
  - (a) Increased power infrastructure: \$666 million.
  - (b) Roadway improvements: \$1.547 billion.
  - (c) Education: \$206 million. (new schools)
  - (d) Port expansion: \$195 million.
  - (e) Water infrastructure: \$192 million
  - (f) Public health: \$135 million.



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TOTAL MULTIYEAR ESTIMATE: \$2.941 billion,  
This is per the U.S. Government Accountability Office  
September 2009 Report.

ADD TO THIS:

\$300 million for Second state waste-water treatment facility as required by U.S. EPA.

ADD TO THIS:

\$400 million for placing power poles underground to decrease road hazards for  
DUIs and increase of civilian vehicles from current 105,000 to 138,000.

ADD TO THIS:

\$400 million for a north-south highway to relieve excessive congestion on Guam's  
only main route, Marine Corps Drive.

ADD TO THIS:

\$2 billion for a 20 mile mono-rail public transportation system from Andersen AFB  
to Navy Base. This is the amount that the State of Hawaii is receiving from the  
Federal Government for the same capability. If Hawaii can get it, Guam should get  
it also.

GRAND TOTAL OF MANDATE: \$5.641 Billion.

An OMNIBUS appropriations bill would be the most efficient means for the civilian  
community of Guam's infrastructure needs. Piece-meal legislation that parcels out  
small appropriations over a long period of time will not answer the needs that will  
appear almost immediately. It is also not just or sufficient to require Guam to compete  
with the 50 states and the other four territories for grants and loans to obtain the  
necessary funding. The Guam buildup is a FEDERAL UNFUNDED MANDATE.  
GUAM CANNOT FUND IT. THEREFORE, THE FEDERAL GOVERNMENT MUST  
FUND THIS MANDATE.

19. The Technical Agreement to the Covenant of the Commonwealth of the  
Northern Mariana Islands contains a PART III. SOCIAL AND CIVIL  
INFRASTRUCTURE ARRANGEMENTS. The same provisions provided for  
the Commonwealth need to be awarded to Guam in concurrence with the  
policy for Guam set forth in the National Security Decision Memorandum of  
February 1, 1975, approved by President Ford, which states:

[From NSC/USC Guam Study]:

- a. "Retains U.S. Sovereignty over Guam;
- b. Helps promote the material well-being of Guamanians;



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- c. Enhances prospects for the ultimate integration of Guam with the Northern Marianas;
- d. Provides an agreement with Guamanians on a commonwealth arrangement no less favorable than that concluded with the Northern Marianas;
- e. Provides the justification for discontinuing annual reports to the United Nations on U.S. administration of Guam."

These provisions in the CNMI Covenant Technical Agreement which should be provided to Guam include:

- a. Part III section 2. "Fishing and Shoreline Activities, Tinian. All shoreline areas in and around the northern two-thirds of Tinian [the part leased to the federal government] will remain open to fishermen at all possible times except for those limited areas that must be closed to comply with safety, security and hazardous risk requirements as may develop from either military activities or commercial activities."
- b. The same document has the following as sub-paragraph 3: "Beaches, Tinian. Mariana citizens will have the same access to beach areas in the military areas of Tinian for recreational purposes as military personnel and their dependents. During times of military maneuvers, operations or related activity the use of certain beaches or areas of the beach will be restricted. Closure for such purposes, however, will be kept to a minimum consistent with military requirements in the interest of safety and security. Conduct of all personnel within the beach areas and use of these areas will be subject to applicable military regulations."
- c. The same document has the following as sub-paragraph 10: "Assistance to the Community. The United States Government will consider sympathetically all bona fide requests from the community or its residents for materials or technical assistance, from resources on the base, in the event local resources are insufficient to meet the community needs."
- d. The same document has the following as sub-paragraph 11: "Economic Opportunity. To the extent practicable appropriate United States military and civilian authorities or contractors executing United States Government contracts will attempt to utilize the resources and services of people of the Northern Mariana Islands in construction, development, supply and maintenance activities in the Marianas. Further, United States military and



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To Joint Guam Program Office  
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civilian authorities will, whenever practicable, provide technical and training assistance to the people of the Northern Mariana Islands in accordance with applicable United States law to assist in their achievement of necessary skills."

SUMMARY:

It has become obvious that the proposed buildup is too big for Guam. The local governmental services and infrastructure are not up to the challenge. This paper has identified about five billion dollars of items needed by the local government to meet the needs that will be generated by the buildup. Only minimal assistance has been forthcoming from the Federal Government.

The Federal Government has not responded to the degree necessary. Guam is merely asked to apply for existing grants and loans, competing with the fifty states and other territories for the needed funding. Guam has reached its public funding ceiling. Its ability to obtain funds by taxation is already maximized. Its anticipated income for FY2011 is \$500 million. That amount is insufficient to fund fully existing needs, much less fund needs associated with the buildup.

Guam is unable to fully take care of the civilian community needs generated by this buildup. The Federal Government cannot place such a huge unfunded mandate upon the 178,000 Americans in Guam.

The entire DEIS is premised on Guam being able to support 8,600 active duty Marines, 2,000 transient Marines, and 9,000 dependents. This is just too large a bite to take at one time. The Defense Department used to have a policy of not having any increase in its footprint in Guam jump more than ten percent at any one time. This buildup proposal is a 321 percent jump. It is impossible to stuff fifty pounds of rice in a ten pound bag.

The EIS must recognize this fact and reflect a smaller number of Marines and a longer period of time for any buildup.

I have maintained the same position since the very beginning back during the scoping meetings in 2007. That position is that the Guam military buildup must be a "win-win" situation, bringing a better quality of life for the civilian community while meeting the core needs of the military. My committee's motto has been: "If it is not win-win, we both lose."



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Since that time, we have faced several instances of being kept in the dark by the military, by being ignored by the military, and by the military dealing with some agencies of our local government on a "non-disclosure" basis. This is all contrary to the Secretary of Defense's statement of this month before Congress that this buildup will be transparent. It has not been transparent. A lot of good will has been lost. This has placed our citizens in a very difficult and awkward position. They are very patriotic and love our Marines. They are very hospitable.

In fact, this trait of the Chamorros has led them to be taken advantage of ever since the first European set foot on the beach. Yet, at the same time, they do not want to be taken advantage of any more. They do not want to see their island covered by concrete. They do not want to be marginalized. They do not want to lose their culture. They do not want to be taken for granted. They have maintained their identity in the face of devastating outside pressures for more than four thousand years. They do not want the Chamorro culture to disappear after existing for that long on the face of our earth.

*Sencymente,*

Judith P. Guthertz, DPA  
Senator

c: Barack Obama, President of the United States  
The Honorable Felix P. Camacho, Governor of Guam  
The Honorable Hillary R. Clinton, Secretary of State  
The Honorable Robert Gates, Secretary of Defense  
The Honorable Ray Mabus, Secretary of the Navy  
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All Senators, 30th Guam Legislature

Senator Judith Paulette Guthertz, DPA  
Assistant Majority Leader



*I Mina Trenta na Liheslaturan Guåhan*  
Thirtieth Guam Legislature

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January 21, 2010

Major General David Bice, USMC (Ret.)  
Executive Director  
Joint Guam Program Office (JGPO)  
PSC 455 Box 152, FPO AP 96540-1000

Dear General Bice:

I would like to express my sincere appreciation for your presence at all four JGPO public meetings, and your willingness to discuss issues with attendees who had inquiries. I am also mindful that you remained to hear all testimony, and I want to thank you for making the effort to listen, and consider what our people had to say.

Attached to this letter is my COMMENT PAPER ON LAND ISSUES, which is my formal testimony on the Draft Environmental Statement (DEIS). As the title indicates, this comment specifically concerns land for military housing and a firing range. This COMMENT PAPER is my attempt to provide a constructive way out of our current dilemma regarding land needs for the buildup.

I am hopeful that you and your colleagues will read my submission with the knowledge that my goal is to develop practical, workable, win-win solutions so the buildup will benefit both our great nation and our great island.

I will submit several additional comments on other DEIS issues at a later date.

*Senseramente,*



Judith P. Guthertz, DPA  
Senator

Attachment

c: Barack Obama, President of the United States  
The Honorable Felix F. Camacho, Governor of Guam  
The Honorable Robert Gates, Secretary of Defense  
The Honorable Ray Mabus, Secretary of the Navy  
The Honorable Michael B. Donley, Secretary of the Air Force  
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All Senators, 30<sup>th</sup> Guam Legislature

Senator Judith Paulette Guthertz, DPA  
Assistant Majority Leader



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January 21, 2010

## **GUTHERTZ COMMENT PAPER ON LAND ISSUES**

Response to Guam Draft Environmental Impact Statement of November 2009

### **BACKGROUND AND STATEMENT OF THE PROBLEM:**

The outpouring of emotion at recent JGPO public hearings on Guam's military buildup was remarkable. Over a thousand residents testified with less than ten taking a positive approach.

Even Guam's Governor, who did not attend any portion of any of the JGPO hearings, has commented on the emotion and passion expressed. He and I agree that the buildup will happen and the need exists to translate this emotion into practical actions to get the military to change what it currently plans to do, in the direction of accommodating the general feeling of those who testified.

Even the Chamber of Commerce, comprising eight of those who testified in favor, has now modified its position saying that the buildup should happen, but in a manner that does not harm the people of Guam but instead brings benefits to them.

In my analysis, there were two main themes among those who testified. The first is the protection of the Chamorro culture, the way of life, and the quality of life. These must be enhanced, not degraded, by the buildup.

The second theme was absolute opposition to any threat or use of condemnation (eminent domain) by the federal government to obtain additional land. An integral part of this theme is the opposition to the military gaining any additional land for the buildup, in any manner. The consensus, even by the Chamber, is that the current military footprint is sufficient for the buildup.

What does this all mean? I agree that our Marines should arrive to a hospitable reception. Will that happen if the federal government seeks to gain additional land and seeks to gain it by condemnation? I doubt it.

The DEIS Alternatives A and B for the firing range, involve the private property of the Nelson clan. A large number of that clan testified at the hearings. In fact, several of the youth who organized "We Are Guahan," carry Nelson blood. The clear and firm testimony from the Nelsons is that they will never consent to their land being taken by the military. There will be no negotiated solution, no price high enough, for these lands. The military will have to go through a long and difficult condemnation process to acquire it, including approval by the House and Senate Armed Services Committees and an open trial by jury in court. Imagine the bad publicity and the negative sentiment that will be generated by this process.



Why the DEIS included the Nelson homes in Alternative A for the firing range is beyond me. It may be one of the most thoughtless public relations fiascos in the history of civil-military relations in Guam.

The Legislature will shortly adopt a strongly worded resolution, Number 258-30, against land condemnation in Guam. The Mayors Council has already adopted a resolution that takes the same position. The President of the Guam Chamber of Commerce has taken the same position, as has our Delegate to the U.S. Congress. In my opinion, it would be the honorable thing to do for our military to announce the rejection of any threat, or use, of condemnation.

It would also be wise for the military to announce now, not in June or July, that the DEIS will be modified to have the preferred alternative for a firing range avoid any taking of additional land, either private or public. The military is behind the eight ball on this issue and needs to get out in front immediately in response to the massive negative comments at the public hearings. It benefits no one for this issue to drag out to a summer conclusion.

What can be done about the presumed need for additional land? There are conflicting messages from Guam's Governor. First, he said that we must use the passion and emotion to "force" (his word) the military to bend in our direction. Later he told a Stars & Stripes reporter, in a story that was also carried by UPI, that "... a deal for the military to buy the land may put Guam in a better position to negotiate for money to improve its ailing infrastructure."

Two of the three large parcels of public land identified for acquisition by the military involve land already designated for development to benefit those families who had lost their land to the military and will never get it back, the Crown Lands. The Governor has complicated these two parcels by presenting a bill to the Legislature designating them for the award of private title to 39 families who formerly owned land now under the buildings and runways at the Guam International Airport.

If this bill is approved by the Legislature, and title is awarded prior to the Record of Decision, these two parcels will be private, not public land. The former landowners testified at the public hearing that they are opposed to leasing or selling to the military, but rather want to retain the actual land. The Governor cannot speak realistically of selling to the federal government when he has already proposed that title be awarded to these 39 families.

The third large parcel involves land that has been set aside for a homesteading program for local Chamorro families. The Governor is flouting the testimony of those who took the position at the public hearings strongly condemning any sale of our land, our culture, and our way of life. Even if the 39 families get title to the Ancestral Lands portion of the proposed firing range, the local government would still own the northern part of what is desired for the firing range, the Chamorro Land Trust area. The military could not build a firing range on only the northern half of that property.

The thought of selling our precious land to put Guam in a "better position to negotiate for money to improve its ailing infrastructure" is appalling. That land is designated for the use of Chamorros through the upcoming centuries. Those who testified would never forgive



our government for selling out our legacy, the backbone of our culture, to improve our infrastructure.

Nearly a year ago, the Legislature passed Public Law 30-21, which provides that the Legislature must be the final approving authority for any land deal with the federal government. Therefore, our Governor cannot sell any land to the federal government. I cannot speak for my colleagues, but I believe that they will not approve any sale of our precious resource, in the hopes of improving our chances to get federal money for infrastructure needs. For any offer to be even seriously considered, it will have to be a most unusual and generous package.

The DEIS is deficient because it does not seriously present any alternative that positions all military needs within the military's current footprint. The two alternatives for a firing range are really not separate alternatives. Alternative B was thrown in sometime in the final stages of drafting so that there could be a "throw-away option." Both require additional lands, private and public, to be acquired by the military. Some options within the current fences are mentioned, but only briefly and without detailed analysis. Further, several possible alternatives are not mentioned at all. There is no "thinking outside the box."

#### CONCLUSION:

The DEIS must be modified to locate, as the preferred alternative, all of the military's needs on existing federal land. This modification must be done NOW, not behind locked doors between the second half of February and the first half of July. The welcome mat could well be eliminated over those months if no justice is provided. It is not the responsibility of local government planners to find these alternatives; it is the responsibility of the Department of the Navy. Surely, the talent and experience of the buildup planners can develop practical alternatives. I offer my own "outside the box" thinking below to indicate what could be possible.

#### ALTERNATIVES – POSSIBILITIES

##### FORMER FAA HOUSING AREA:

The DEIS assumes that military housing must be located within the 681 acres (The DEIS incorrectly claims that this is 680 acres) of former FAA property. As the DEIS states, it is composed of both private and public land. General, you indicated to my staff that the military is not interested in acquiring that private land. Why didn't the DEIS state this?

The private landowner family is currently negotiating with the Ancestral Lands Commission to delineate the boundary. It is assumed to be about 100 to 200 acres for the family, starting from the ocean going eastward. Therefore, the military is asking for about 480 acres of this Ancestral Crown lands for housing. Looking at the map, and knowing how the military thinks, it is obvious that this desire for this parcel is to "tidy up" the gap between the housing at the South Finegayan facility and the main Marine Corps base. The DEIS even states explicitly the desire for the base area to be "contiguous." There is no national security need to fill in the gap. The sixty current housing units at "South Fin" are currently assigned to Navy personnel. Many of them do not work at NCTS, but work on the repair ship moored in Apra Harbor. The DEIS does not speak of using these units for



Marines and having the Navy families assigned housing near or on the Orote Navy Base, but isn't that where they should really be located?

It's important to remember how far we have come over the years. Back in the 1960s and '70s, all Marines stationed in Okinawa were unaccompanied, to be positioned better for contingency operations. Today, we emphasize "quality of life" for the families as much as we emphasize combat effectiveness. In Guam we are very family-friendly, and happy families make for better relations between the military and civilian communities.

You may recall that Assistant Secretary Natsuhara told the Legislature at our recent Public Administration conference that he would like to see Guam become a duty station of choice for military families. I recognize that a family-friendly environment is a critical element in the success of the buildup, and I believe that a more family friendly mindset could take your planners down a better path.

My recommended alternative for this particular situation is to have the Navy houses assigned to the Marines, and to fill in the open, empty spaces within the South Fin acreage with additional housing units. That will decrease the 480 additional acres needed for housing down to about 200 acres. These 200 acres can be found north of the NCTS buildings, in the "open/protected area" which runs from those buildings north to Route 3A and from Potts Junction northwestward in the direction of Ritidian. Two hundred acres is a just a small portion of this vast open area.

The word "protected" means that this land is part of the Guam Wildlife Refuge Overlay, negotiated in 1994 by the military with the U.S. Fish & Wildlife Service. There are currently 12,237 acres in the Navy overlay and 10,219 acres in the Air Force overlay. Why not take a mere 200 acres more from these overlays? Several acres are already designated to be developed in the overlay areas as mentioned in the DEIS. This particular area is designated as "critical habitat" for eventual location of fruit bats.

Which is of greater import: locating fruit bat in 200 acres along Route 3A someday in the far future, or the avoidance of taking additional land in Guam? The Refuge MOU states that national security needs will trump habitat needs. Additionally, the fruit bats would prefer the area currently managed at Ritidian by the Fish & Wildlife Service to the scrub fauna in the area for housing, and bats can co-exist with housing. One merely has to provide for some open park space, construct artificial fruit bat houses (shelter from the weather, protection from predators, and poles crisscrossing for roosting). If you plant mango and papaya trees around these towers, the bats will come. This concept would provide protection against poachers. The Air Force is already encroaching in the exact same habitat by building concrete buildings every one hundred yards or so running along the north side of Route 3A, not to mention the quarry site on the south side of that road.

The housing area could have an access gate to Route 3A for management of vehicle traffic, and this housing area would be contiguous to the main cantonment facility. Finally, an easement linking South Fin and the main cantonment area could be negotiated to provide for direct travel between the two areas. Traffic would not need to go out onto Route 3. This access road, of course, should have an on and off ramp halfway along the road for local access into the former FAA area.



This is just one possibility that would remove any need for acquisition of the former FAA property.

**FIRING RANGE:**

The Navy needs to put on its thinking cap about this matter and be open-minded. I do not have all the answers, but here are a few alternatives that I would like to offer:

**Use Tarague Beach.** We have been told that the area is too small for the required throughput. We have been told that it is omni-directional. We have been told that the blast zone for the munitions area overlaps the area. We have been told that the firing range would interfere with the flight patterns for the AAFB. The DEIS does not go into detail on these matters. On a map you provided to me last year, the blast zone does NOT overlay the beach area nor does it impact on the flight pattern. If it does, move the ammunition bunkers a bit further west to eliminate any overlap. Further, in my non-expert opinion, all firing ranges are omni-directional. Final proof of Tarague's suitability is evidenced by the fact that there is already a firing range in the Tarague Beach area. That puts the lie to these false arguments.

The main concern would be throughput. My thinking is that the bunkers could be located in the eastern end of the area with the shooting aimed toward the Recreational Beach end. Use of the recreational beach would be scheduled for when there is no live firing on the range, such as weekends, holidays and late afternoons. The current firing range has the shooting going in the direction of the runways and flight patterns. My concept would reverse the direction for added safety and place the morning sun at the backs of the Marines. There would be more than enough room for throughput and more than enough distance for the targets. There is no recreational boating or reef fishing or scuba diving along that coast. Rota is 54 miles away, safe from any stray bullets.

A sub-set could be to use the southern portion of the Naval Munitions Area (NMA), formerly known as the Naval Magazine, for heavy machine gun firing. Weapons such as the .50 cal. machine gun need additional range versus the smaller caliber weapons and the required distance could easily be set up at a small range in this area. This is also under the wildlife refuge overlay, but there are already four planned helicopter landing zone spots (with an additional one in the main NMA facility) and an access road from Route 2 into the south of the NMA.

General Bice, you informed one of my staff that the NMA was suitable for a firing range, but that the mayors, back in 2007, advised against having a large volume of heavy Marine trucks on Guam's roads. Under my concept, there would be minimal truck traffic on the roads since not every Marine is a machine gunner. Further, they could also be transported to and from the main cantonment via helicopter, or on the billion-dollar road down the spine of Guam, which the Japanese Government pledged to build in last year's agreement with our Secretary of State.

This sub-set alternative of using the NMA for limited firing practice is only in the event that heavy machine guns are unsuitable for Tarague Beach. Why, if the NMA site is suitable, is there no alternative listing it in the DEIS?

Another sub-set alternative, mentioned in the DEIS, is the development of Tinian for live firing, perhaps shifting the large caliber machine gun to fire there. With consultation with



the CNMI Government, greater use could be made of Tinian since the Marines will have many aviation assets available in Guam to use for transportation to and from Tinian. This option, of course, carries a greater cost than doing the training in Guam, but it would be a smaller cost than the loss of a welcome background of hospitality in Guam for our Marines. It would also be cost-effective when compared to the cost of acquiring the additional land along the 77<sup>th</sup> Infantry Division Highway (AKA Route 15) and redirecting a portion of that road.

A "further-out" concept is for the Air Force to trade land at Pati Point for half of the Fish & Wildlife Service land at Ritidian and use the land at Ritidian, north of the buildings, for a supplemental firing range, if the throughput is still a problem for Tarague, Tinian, and NMA. Again, the orientation of that land is such that any stray bullets would go harmlessly into the ocean since no one uses the ocean that far north. The last remaining colony of fruit bat in Guam resides at Pati Point. The sea turtles come ashore to lay their eggs at Pati Point. The Fish & Wildlife Service should appreciate the opportunity to acquire Pati Point.

Finally, a comment about our Air Force. I have heard informally and confidentially that the Air Force is not being a "joint player" in our buildup. It has its own projects, but it has been grudging regarding the Marine Corps aviation facilities. It has rushed construction of concrete buildings along Route 3A to establish a presence along that area to prevent the Marines from crossing that road. It has refused to consider, seriously, Tarague Beach for a firing range. My recommendation is that the Air Force be informed that this buildup a "one-government" program. Once again, in the words of Assistant Secretary Natsuhara: "Throughout all of this I want to make it clear, we are committed to one Guam, whole government approach. This realignment should benefit all of us. By working together across the federal and local governments, you can be assured that it will be."

The Air Force should stop resisting and get on board.

#### CONCLUSION:

I have provided the background and statement of the problem. I have provided some rough ideas for solutions to the problems. I believe that it is in the hands of the Department of the Navy whether the Marines get a warm or hot welcome to Guam. Guam needs a "Rewrite-Resubmit" of the DEIS to make it balanced, creating more "wins" for the people of Guam. The entire document reflects an unfortunate disrespectful attitude toward our people and culture. Disrespect is the worse thing one can show to the people of Guam. This land issue is just one of many issues that have unfortunately been mismanaged throughout this process. As a respected elder and former senator testified, "We love America, but we are not sure America loves us."

General, if you truly wish to achieve success, and if you believe as Assistant Secretary Natsuhara does, that there should be "one Guam," and that Guam should be a duty station of choice, you and your colleagues must act quickly to redo the plans for this buildup, and dispel these and similar perceptions.

###

Senator Judith Paulette Guthertz, DPA  
Assistant Majority Leader



*I Mina Trenta na Liheslaturan Guåha.*  
Thirtieth Guam Legislature

CHAIRPERSON, COMMITTEE ON THE GUAM MILITARY BUILDUP AND HOMELAND SECURITY  
155 Hessler Place, Hagåtña, Guam 96910 • Phone: (671) 472-JUDI (5884) • Fax: (671) 472-3547 • judiguthertz@pticon.com

January 28, 2010

Major General David Bice, USMC (Ret.)  
Executive Director  
Joint Guam Program Office (JGPO)  
PSC 455 Box 152, FPO AP 96540-1000

Dear General Bice:

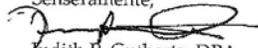
The attached paper is my second official "Comment" for the DFIS. The title is:  
**GUTHERTZ COMMENT PAPER ON STRETCHING AND SPREADING THE BUILDUP.**

Once again, I am searching for "win-win" practical solutions to the various issues that exist. In this case, the solution would be a three-way win, for America, for Japan, and for Guam.

We all need to think "out of the box" to accommodate the core interests of the parties involved. In my solution, we even accommodate the desires of the people of Tinian.

I hope that this creative solution will be seriously considered by the powers that be, and that Guam is included at the table for any discussions concerning this matter.

Senseramente,

  
Judith P. Guthertz, DPA  
Senator

c: Barack Obama, President of the United States  
The Honorable Felix P. Camacho, Governor of Guam  
The Honorable Hillary R. Clinton, Secretary of State  
The Honorable Robert Gates, Secretary of Defense  
The Honorable Ray Mabus, Secretary of the Navy  
The Honorable Michael B. Donley, Secretary of the Air Force  
The Honorable Madeleine Z. Bordallo, Guam Delegate to Congress  
The Honorable Gregorio Sablan, CNMI Delegate to Congress  
The Honorable Ken Salazar, Secretary of the Interior  
The Honorable Benigno R. Fitial, Governor of the Commonwealth of the Northern Mariana Islands



Letter from Sen. Judith Guthertz  
To Major General David Bice  
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The Honorable Ramon M. Dela Cruz, Mayor of Tinian and Aguijan, CNMI  
The Honorable Roger Natsuhara, Assistant Secretary of the Navy for Installations and Environment  
The Honorable Anthony Babauta, Assistant Secretary of the Interior for Insular Affairs  
Rear Admiral Douglass Biesel, U.S.N., Commander, Joint Region Marianas  
Brigadier General Philip Ruhlman, U.S.A.F., Deputy Commander, Joint Region Marianas  
All Senators, 30th Guam Legislature

Senator Judith Paulette Guthertz, DPA  
Assistant Majority Leader



*I Mina Trenta na Liheslaturan Guåhan*  
Thirtieth Guam Legislature

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January 28, 2010

Major General David Bice, USMC (Ret.)  
Executive Director  
Joint Guam Program Office (JGPO)  
PSC 455 Box 152, FPO AP 96540-1000

Dear General Bice:

**GUTHERTZ COMMENT PAPER ON STRETCHING AND SPREADING  
THE BUILDUP -- AN OFFICIAL SUBMISSION FOR THE DEIS REVIEW  
PROCESS.**

**ISSUE:**

There is a three way problem concerning the proposed relocation of Marine Corps forces currently located in Okinawa. The people of Nago, the intended location for the aviation units at Futenma just elected a mayor who is against the relocation. Secretary of Defense Gates has stated that there will be no relocation of Marines to Guam until there is agreement on moving the aviation units out of Futenma. The people of Guam are beginning to realize that the proposed relocation to Guam is too large and too quick for Guam's governmental services and infrastructure to adapt.

**BACKGROUND:**

The election of anti-U.S. base candidate Susumu Inamine earlier this month as mayor of Nago, Okinawa Prefecture, has virtually ended the possibility of relocating the Marine Corps Air Station Futenma, as previously agreed upon in a bilateral accord between the U.S. and Japan. This situation creates a problem among the United States, Guam and Japan regarding the proposed relocation of Marines to Guam and the movement of the Futenma Marine contingent to Nago.

Prime Minister Hatoyama has reacted to the recent Nago election by saying that "The country will start from scratch on this issue and take responsibility." Secretary of Defense Gates has stated that without the move from Futenma there will be no move to Guam. In Guam, the public sentiment for the buildup is rapidly shifting from positive to negative as the



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details in the Draft Environmental Impact Statement (DEIS) are being understood.

It is becoming more and more apparent among the people of Guam that the proposed buildup is for too many too soon, and is coming too quickly. This official "Comment Paper" offers a "win-win-win" proposal that will accommodate the basic needs of all three parties.

In 1980, the military command in Hawaii conducted a study of the feasibility of the home-porting of an aircraft carrier battle group in Guam. That option would have seen about 10,000 sailors plus their families being located to Guam. The policy decision was made by the Commander, Pacific Command, that it was not feasible because it would be too large a jump in the population of Guam, straining the local infrastructure. A policy was set that no increase of greater than ten percent would occur at any one time for the military footprint in Guam. If any increase was limited to no more than ten percent, then the local support structure could absorb it. Accordingly, the stores ships with the associated helicopter squadron were located to Guam, instead of a carrier battle group.

In 1991, the Mount Pinatubo volcanic eruption disrupted operations at Clark Air Force Base in the Philippines. This event was rapidly followed by the defeat of a proposed treaty to extend the American presence in the Philippines. The Air Force initially planned to move everything from Clark to Andersen AFB in Guam, but this would have been a jump in the footprint size of greater than ten percent. Accordingly, most Air Force units were relocated to the mainland U.S.

Now, in 2010, we see the military proposing a jump in its footprint from about 12,700 (4,000 Navy, 2,500 Air Force and 6,200 dependents) to a new footprint of 8,652 Marines and 9,000 dependents; 630 Army with 950 dependents; 4,600 Air Force with 3,730 dependents; 5,600 Navy with 5,280 dependents; and 140 Coast Guard with 180 dependents. Add to that the 2,000 "transiting" Marines and you get numbers totaling 21,622 active duty with 19,140 dependents, or 40,762 people.

This new footprint is not a ten percent increase. It's not even a fifty percent increase. It is a whopping 321 percent increase, more than three times the current numbers! And the relocation is to take place in three years, from 2014 to 2016!



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Guam's local support structure for governmental services and infrastructure could be broken by these numbers. To add insult to injury, Guam has not seen any comforting words out of Washington D.C. that the federal government will fund our local costs of the buildup. The borrowing capacity of our local government has been exhausted. If either our federal government, or the government of Japan does not fund our local needs, we will end up in the disastrous situation of having two Guams: a first-world Guam inside the military fences, and third-world Guam outside the fences.

In 1990, in the context of the political status negotiations with Guam, then-Secretary of Defense Dick Cheney signed a paper pledging that the Pentagon would conduct prior consultations with the Government of Guam regarding any desired change in the military footprint in Guam. The Pentagon is breaking that solemn promise. No discussions were held with the Government of Guam prior to the determination of the relocation of Marines, and Guam had no input on the size or speed of the buildup.

We have never been told who and what determined that the relocation would be for 8,652 Marines. Does that number represent a percentage of the current Marine footprint in Okinawa? Does it match with either administrative or combat unit structures? Why that number? How was the timeframe determined?

The whole DEIS is premised on 8,652 Marines, with 2,000 transients, coming to Guam. If we change that premise, the entire DEIS collapses like the house of cards it has turned out to be.

#### **RECOMMENDED SOLUTION:**

1. Stretch out the relocation. Have the Marines move over a period of eight years instead of only two years.
2. Reduce the size of the movement to Guam by fifty-percent, for about 4,000 active duty Marines. This would still provide a greater than 100 percent jump in footprint, but provide a greater welcome mat for our Marines.
3. Spread out the relocation of the Marines. Relocate the First Marine Aircraft Wing aviation command from Futenma, Okinawa Prefecture, to Tinian and Aguijan (Goat Island), CNMI. This command numbers about



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4,000. The Mayor of Tinian and Aguijan has already asked the U.S. military to consider these islands for the buildup. Aguijan is uninhabited and the federal government already has a long-term lease for the northern two-thirds of Tinian. This area was acquired by the U.S. as a future "fall-back" site for our bases further west in Asia. In 1975 a \$300 million joint use base was envisioned, administered by the Air Force, but was never constructed. Please see the attached news article, Marianas Variety Guam Edition, page 11, January 25, 2010. It can also be read at [www. http://www.mvariety.com/tinian-goat-island-offered-as-alternatives-to-guam.php](http://www.mvariety.com/tinian-goat-island-offered-as-alternatives-to-guam.php).

4. Relocate 4,000 of the 8,652 Marines originally intended to go to Guam from the current infantry bases in Okinawa to the vacated facilities at Futenma, thus thinning out the presence in the populated areas of Okinawa. At the same time, the people living in the Futenma area will appreciate the removal of the aircraft noise.

#### CONCLUSION:

This is my "stretch out and spread out" plan. Please receive it with open minds and modify it as necessary. The premise of this plan is to have a "win-win-win" situation for the U.S., Japan, and Guam.

In considering this plan and in any discussions concerning the buildup, the people of Guam must have a voice at the table. We were not consulted when the previous plan was developed and look what a fiasco has occurred! Guam must be able to look the various decision-makers in the eye and be able to ensure that the best interests of the people are considered and protected. Never again should the entire future of the 179,000 plus residents of Guam be put at risk by a failure to consult them on such serious matters.

Senseramente,

Judith P. Guthertz, DPA  
Senator

c: Barack Obama, President of the United States  
The Honorable Felix P. Camacho, Governor of Guam  
The Honorable Hillary R. Clinton, Secretary of State



Letter from Sen. Judith Guthertz  
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The Honorable Robert Gates, Secretary of Defense  
The Honorable Ray Mabus, Secretary of the Navy  
The Honorable Michael B. Donley, Secretary of the Air Force  
The Honorable Madeleine Z. Bordallo, Guam Delegate to Congress  
The Honorable Gregorio Sablan, CNMI Delegate to Congress  
The Honorable Ken Salazar, Secretary of the Interior  
The Honorable Benigno R. Fitial, Governor of the Commonwealth of the Northern Mariana

Islands

The Honorable Ramon M. DeLa Cruz, Mayor of Tinian and Aguijan, CNMI  
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Environment

The Honorable Anthony Babauta, Assistant Secretary of the Interior for Insular Affairs  
Rear Admiral Douglass Biesel, U.S.N., Commander, Joint Region Marianas  
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All Senators, 30th Guam Legislature

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MVARIETY.COM CNMI NEWS LOCAL TINIAN, GOAT ISLAND OFFERED AS ALTERNATIVES TO GUAM

# Tinian, Goat Island offered as alternatives to Guam

THURSDAY, 21 JANUARY 2010 00:00 BY GEMMA Q. CASAS - REPORTER

TINIAN — Mayor Ramon M. Dela Cruz asked the U.S. military to consider Tinian and the nearby uninhabited Agulijan, or Goat Island, as alternative sites for the planned buildup in the Marianas in the wake of increasing opposition on Guam to the project.



The newly elected Republican mayor met last week with retired Maj. Gen. David Rice, the executive director of the Joint Guam Program Office, which is tasked to oversee the military buildup project on Guam and the Northern Marianas.

"We discussed a lot of things," the mayor said. "We know for a fact that they are getting a lot of opposition on Guam about the military buildup, so I jokingly I asked him, if there's so much opposition on Guam, we're willing to take the military on Tinian as fallback for Guam."

According to Dela Cruz, Rice laughed but said, "We'll consider it seriously."

The mayor added, "I also offered Goat Island as an alternative. They said they will take a look at it. They flew over it."

Goat Island is an uninhabited island of the CNMI located about 5 miles southwest of Tinian. It has a large number of feral goats, but it used to host a Japanese garrison during World War II.

Rice and other military officials went on Tinian for a public hearing on the draft Environmental Impact Statement, or EIS, regarding the military buildup in the Marianas.

Much of the anticipated projects will be constructed on Guam.

Tinian is expected to host military drills and exercises that cannot be accommodated on Guam.

Dela Cruz said Tinian has always been supportive of the U.S. military's presence.

"For a very long time, we were made to believe that Tinian could capitalize on a military economy. As you know, we released two-thirds of our island to the military," he added.

He admitted that the island's economy, like the CNMIs, "is not really good — I think we will keep on sinking."

He remains optimistic, however, that Tinian will soon have new hotels and casinos, especially if the military buildup is finally implemented.

## Comments

#4 Nomafababa 2010-01-22 09:40  
That's a good idea. Tinian... a small airstrip and a hike/bike trail for day trips could easily be put in around the whole island. Only problem might be the lack of beaches. Everybody keeps talking about "eco tourism". Ain't ever going to...

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Senator Judith Paulette Guthertz, DPA  
Assistant Majority Leader



*I Mina Trenta na Liheslaturan Guåhan*  
Thirtieth Guam Legislature

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February 2, 2010

Major General David Bice, USMC (Ret.)  
Executive Director  
Joint Guam Program Office (JCPO)  
PSC 455 Box 152, FPO AP 96540-1000

Dear General Bice:

**GUTHERTZ COMMENT PAPER ON SOCIAL AND CIVIL INFRASTRUCTURE  
ARRANGEMENTS**

**AN OFFICIAL COMMENT FOR THE DRAFT ENVIRONMENTAL IMPACT  
STATEMENT (DEIS)**

**ISSUE:** The DEIS does not provide for any Social and Civil Infrastructure arrangements.

**BACKGROUND:**

In the Technical Agreement to the Covenant establishing the Commonwealth of the Northern Marianas there is a **PART III. SOCIAL AND CIVIL INFRASTRUCTURE ARRANGEMENTS**. It contains "provisions, unless modified in writing by mutual agreement of the duly authorized representatives of the United States Government and the Government of the Northern Mariana Islands, will govern the future relations between the United States military forces in the Northern Mariana Islands and the civil authorities thereof. Coordination of these arrangements will be accomplished through a Civil-Military Advisory Council organized as soon as required after implementation of this Agreement."

The provisions are described in detail, for the following topics: Civilian Responsibilities; Fishing and Shoreline Activities in Tinian; Tinian Beaches; Utilities; Water; Medical Care; Fire Protection; Base Exchange, Commissary and Movies; Schools; Assistance to the Community; and Economic Opportunity. Part III of the Technical Agreement is attached for information. The provisions are most interesting.

The Civil-Military Advisory Council (CMAC) has been a regular mechanism over several of the years for consultation and coordination between the military and the CNMI Government, meeting with an agenda, action items assigned, and joint deadlines established.

Guam does not have the equivalent. Nowhere in the DEIS is an infrastructure for coordination and consultation provided. The Governor of Guam has established, by



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Executive Order, a Civilian-Military Task Force (CMTF) Council with membership of the military, the Legislature, and the public. Eleven sub-committees of that Council were formed, again having wide open membership including public and military participation.

Concurrently, in December, 2008, the Guam Legislature enacted into law P.L. 29-128, by a veto override, establishing the "Guam First Commission," which would bring the various elements of the civilian community together in a Commission, headed by the Governor, to engage the federal government on an entire spectrum of issues. The CMTF is codified under P.L. 29-128, and is tasked with continuing the work it has accomplished regarding the buildup. The Governor has refused to implement the law, and the CMTF's last meeting was held on October 18, 2008.

A mechanism is needed to bring military leadership together with civilian leadership to work civil-military matters localized in Guam, and I believe this mechanism should be one of the functions of the Guam First Commission. This mechanism would cover the on-going civil-military relationship after the buildup is completed. While a subset under the Guam First Commission, this mechanism would have a separate but compatible mission.

There will be a myriad of issues that will arise between the two communities. For example, the drinking age is 21 inside the fences, while it is 18 in Guam. Issues are certain to arise regarding DUIs, as the young servicemen attempt to get back to their base safely after having fun downtown. The DEIS does not address this disparity between drinking ages. The age difference is non-existent in Tinian, where the drinking and gambling age is 21, the same as the drinking age established by the OPNAV Instruction 5350.4D, section 6, from the Chief of Naval Operations, unless the military base is in a foreign country. For example, the drinking age on and off base in Okinawa is 20.

The DEIS, in Volume 2, Section 16 and Section 18, only gives a surface, sketchy look at public services and vehicle accidents. The recommendations for mitigation are merely a standard list of the obvious steps such as providing free rides to and from the base and educational campaigns. These steps will be insufficient because of the drinking age difference.

As a former Director of Public Safety and Acting Chief of Police, I am well aware of the situation we will be facing. Like all young men of their age, Marines will be trying to attract young civilian women. Combine that with drinking around a pool table with cue sticks and hard billiard balls readily available, and the situation can become very volatile. One solution is to have joint Civilian-Military Security Patrols throughout the bar areas, as has been done in Guam in the past. Another solution is to have a dedicated phone number for the bar owners to inform the security people of an impending incident.

Another issue is the sex industry. We have already heard word that such establishments may situate themselves along Route 3 across from the main cantonment. The Marine



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Corps, of course, is opposed to this and does not want local zoning to permit it just outside the family-oriented base. This would be an issue for discussion and coordination between the military and civilian leadership in Guam.

On the military side, a billet for Civil-Military Affairs was established in 1974 on the staff of the Commander, Naval Forces Marianas. This billet disappeared a few years ago. Now, there is a community relations person handling matters such as the sister village and sister school programs. This is needed, but a qualified staff assistant is also needed to be a continual liaison to the Governor's staff, the Legislature, and the Mayor's Council to enhance communications and to advise the Commander on civil-military matters.

#### **PROPOSAL:**

I propose that a Civil-Military Advisory Council (CMAC) for Guam be established by the Secretary of Defense and the Governor of Guam, to be a part of the Guam First Commission. The military membership should be designated by the Secretary of Defense, while the local membership should be appointed by the Commission. The Council would be tasked to work the routine civil-military local issues in a structured and regular basis. By this I mean that it would be mandated to meet at least once monthly and have a previously agreed upon agenda, that it be co-chaired by the Commander, Regional Forces Marianas and the Governor of Guam, that tasks and deadlines should be developed for various issues by mutual agreement, and that sub-committees may be appointed. The officer on the Commander's staff responsible for civil-military matters and the Governor's staff assistant for military matters would be the secretarial staff for this CMAC.

I propose that the commission be limited to six members for the civilian side and six for the military side. The civilian side should include at least one representative of the Legislature. The membership should ensure balance and efficiency, which is important because it must result in high-level decision-makers sitting at the table addressing local issues.

In addition to this infrastructure, I also propose that the directive, signed by both the Secretary of Defense and the Governor of Guam, provide that a "Leaders Lunch" take place at least once monthly. Included in this top-level luncheon should be the heads of all three branches of Guam's government; Guam's top military commanders from each branch of service; and others from the civilian community selected for their areas of expertise. The goal of the luncheons will be simple: to achieve what was so elegantly articulated by Assistant Navy Secretary Natsuhara: "... we are committed to one Guam, whole government approach. This realignment should benefit all of us. By working together across the federal and local governments, you can be assured that it will be."

#### **CONCLUSION:**

This proposal will enhance civil-military relations and provide a mechanism for addressing the myriad issues that will arise between the two communities. I



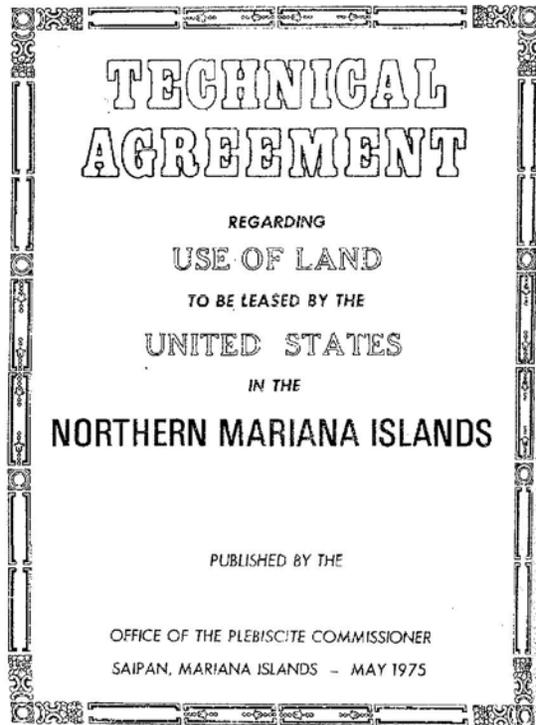
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recommend that this proposal be incorporated into the EIS and that the Secretary of the Navy take immediate action, in coordination with the Governor, to implement it.

Senseramente,

Judith P. Guthertz, DPA  
Senator

- c. Barack Obama, President of the United States
- The Honorable Felix P. Camacho, Governor of Guam
- The Honorable Hillary R. Clinton, Secretary of State
- The Honorable Robert Gates, Secretary of Defense
- The Honorable Ray Mabus, Secretary of the Navy
- The Honorable Michael B. Donley, Secretary of the Air Force
- The Honorable Madeleine Z. Bordallo, Guam Delegate to Congress
- The Honorable Gregorio Sablan, CNMI Delegate to Congress
- The Honorable Ken Salazar, Secretary of the Interior
- The Honorable Benigno R. Fitial, Governor of the Commonwealth of the Northern Mariana Islands
- The Honorable Roger Natsuhara, Assistant Secretary of the Navy for Installations and Environment
- The Honorable Anthony Babauta, Assistant Secretary of the Interior for Insular Affairs
- Rear Admiral Douglass Biesel, U.S.N., Commander, Joint Region Marianas
- Brigadier General Philip Ruhlman, U.S.A.F., Deputy Commander, Joint Region Marianas
- All Senators, 30th Guam Legislature



(3) Customs inspections of all persons, baggage and freight will be in accord with all applicable laws and implementing regulations with the general principle established that whenever and wherever possible this customs inspection shall be performed in the military area by customs inspectors arranged for by the military and in the civilian area by customs inspectors arranged for by the Government of the Northern Mariana Islands.

PART III. SOCIAL AND CIVIL INFRASTRUCTURE ARRANGEMENTS

The following provisions, unless modified in writing by mutual agreement of the duly authorized representatives of the United States Government and the Government of the Northern Mariana Islands, will govern the future relations between the United States military forces in the Northern Mariana Islands and the civil authorities thereof. Coordination on these arrangements will be accomplished through a Civil-Military Advisory Council organized as soon as required after implementation of this Agreement.

1. Civilian Responsibilities. It is understood that the Government of the Northern Mariana Islands has full responsibility for planning, as well as developing, all facilities and services for the Tinian civilian community.

2. Fishing and Shoreline Activities, Tinian.  
All shoreline areas in and around the northern two-thirds

of Tinian will remain open to fishermen at all possible times except for those limited areas that must be closed to comply with safety, security and hazardous risk requirements as may develop from either military activities or commercial activities.

3. Beaches, Tinian. Marianas citizens will have the same access to beach areas in the military areas of Tinian for recreational purposes as military personnel and their dependents. During times of military maneuvers, operations or related activity the use of certain beaches or areas of the beach will be restricted. Closure for such purposes, however, will be kept to a minimum consistent with military requirements in the interest of safety and security. Conduct of all personnel within the beach areas and use of these areas will be subject to applicable military regulations.

4. Utilities

A. Utilities planning will be undertaken for Tinian on an island-wide basis, taking into account reasonable projections of civilian population at the time development by the military becomes necessary. Planning accomplished by the United States will be closely coordinated with planning by the Government of the Northern Mariana Islands. The Government of the Northern Mariana Islands will bear the cost of civilian planning by either undertaking

the planning work or reimbursing the United States for planning services.

B. The Government of the Northern Mariana Islands will take necessary action to obtain such federal funds as are available for planning pursuant to the Housing and Community Development Act of 1974 and other relevant laws.

C. When utilities are constructed for military purposes the United States Government will make excess capacity of utilities available to the civilian community on Tinian on an appropriate fee basis if desired. Use of this excess capacity by the civilian community is to be without contribution into the development costs of the capacity, and the United States Government will not be expected to create or to insure any such excess capacity for the civilian community on Tinian.

D. When utilities are constructed for military purposes, additional capacity can be added subject to full payment for the incremental costs by the Government of the Northern Mariana Islands.

5. Water. Potable water will be made available to the United States military base by the Government of the Northern Mariana Islands at a mutually agreed cost.

6. Medical Care. In accordance with applicable guidelines and regulations, emergency care in military facilities established on Tinian will be provided by the

military to all residents of Tinian when available on the island. In addition medical care in military health facilities on Tinian on a non-emergency basis will be provided residents of Tinian where civilian capacity is non-existent, subject to the capacity and capability of the military and professional staff and availability of such Tinian military health facilities. Costs for all medical care will be at the prevailing reimbursement rates.

7. Fire Protection. When military firefighting facilities become necessary a mutual fire protection aid agreement similar to that type of agreement presently provided voluntarily by the military services in other locations will be entered into between the military facility on Tinian and the local community.

8. Base Exchange, Commissary and Movies. At such time as an operating base is established purchasing of commodities by the civilian community from the base exchange and commissary will be prohibited, but use of base movies by the civilian community as guests in accordance with existing regulations will be permitted.

9. Schools. Prior to the arrival of significant numbers of school age dependents of military personnel, appropriate local and federal officials will initiate such advance consultation and school development programs as necessary to secure federal assistance as may be required

for an integrated local school system adequate to provide for all stages of Tinian's development. The Department of Defense will consult with and advise the appropriate officials of the Northern Mariana Islands as soon as possible regarding such programmed arrivals.

10. Assistance to the Community. The United States Government will consider sympathetically all bona fide requests from the community or its residents for materials or technical assistance, from resources on the base, in the event local resources are insufficient to meet the community needs.

11. Economic Opportunity. To the extent practicable appropriate United States military and civilian authorities or contractors executing United States Government contracts will attempt to utilize the resources and services of people of the Northern Mariana Islands in construction, development, supply and maintenance activities in the Marianas. Further, United States military and civilian authorities will, whenever practicable, provide technical and training assistance to the people of the Northern Mariana Islands in accordance with applicable United States law to assist in their achievement of necessary skills.

PART IV. IMPLEMENTATION

This Technical Agreement will become effective

when Sections 802 and 803 of the Covenant come into force. Subordinate formal implementing agreements are to be executed as soon as possible.

Signed at Saipan, Mariana Islands on the fifteenth

day of February, 1975.

FOR THE PEOPLE OF THE  
NORTHERN MARIANA ISLANDS

*Edward D.G. Pangolin*  
Edward D.G. Pangolin  
Chairman, Marianas  
Political Status Commission

*Vicente M. Santos*  
Vicente M. Santos  
Vice Chairman, Marianas  
Political Status Commission

FOR THE UNITED STATES OF AMERICA

*Roger A. Hansen*  
Ambassador F. Mayda Williams  
Personal Representative of the  
President of the United States

Members of the Marianas Political Status Commission:

*Juan G. Cabrera*  
Juan G. Cabrera

*Vicente T. Canecho*  
Vicente T. Canecho

*José I. Pangolin*  
José I. Pangolin

Felix F. Sabaulinan

*José R. Cruz*  
José R. Cruz

*Benjamin T. Manglobe*  
Benjamin T. Manglobe

*Daniel F. Rana*  
Daniel F. Rana

*Dr. Francisco F. Palacios*  
Dr. Francisco F. Palacios

Oscar C. Raza

*Manuel A. Sison*  
Manuel A. Sison

*Juan B. Tairanag*  
Juan B. Tairanag

*Pedro A. Todorio*  
Pedro A. Todorio

Senator Judith Paulette Guthertz, DPA  
Assistant Majority Leader



*I Mina Trenta na Liheslaturan Guåhan*  
Thirtieth Guam Legislature

CHAIRPERSON, COMMITTEE ON THE GUAM MILITARY BUILDUP AND HOMELAND SECURITY  
155 Hesler Place, Hagåtña, Guam 96910 • Phone: (671) 472-JUDI (5834) • Fax: (671) 472-3547 • judiguthertz@pticom.com

February 8, 2010

Major General David Bice, USMC (Ret.)  
Executive Director  
Joint Guam Program Office (JGPO)  
PSC 455 Box 152, FPO AP 96540-1000

Dear General Bice:

**GUTHERTZ COMMENT PAPER ON AIRCRAFT CARRIER BERTHING  
-AN OFFICIAL INPUT FOR THE REVIEW OF THE DEIS -**

**ISSUE:** The Navy desires to have transient aircraft carriers be able to visit Guam more often than in the past, for a cumulative total of up to 63 visit days per year, with an anticipated length of 21 days or less per visit. The DEIS states that this capability is required to support increased aircraft carrier operational requirements in the Western Pacific and Indian Ocean." (DEIS, Volume 4, page 1-1).

**BACKGROUND:** The DEIS states that "Previous nuclear powered aircraft carrier berthing has been at Kilo Wharf. However, the longer transient visits would interfere with existing munitions operations and therefore require a new deep-draft wharf that can accommodate the transient aircraft carrier. Additionally, due to the length of a transient visit, shoreside infrastructure for utilities (i.e., power, wastewater management, potable water supply) must be improved to minimize or eliminate reliance on shipboard systems while in port." (DEIS, Volume 4, page 1-1).

Back in the early 1970's, carriers and ammunition ships berthed at Hotel Wharf, which is over on the Glass Breakwater side of the harbor. Ammunition ships carry with them Explosive Safety Quantity - Distance (ESQD) arcs of distance that restrict activity and presence to protect against possible blast damage if the ammunition explodes. With the Hotel Wharf near the Guam Commercial Port, the ESQD prevented the expansion of the commercial port. Accordingly, the Navy developed a plan to build a new wharf in Sella Bay with a connecting road to the Naval Magazine.

Governor Camacho approved of an acre for acre swap of land to enable this project that needed both public and private land. However, one senator in the Guam Legislature, Paul Bordallo, took the matter to the U.S. 9<sup>th</sup> Circuit Court which ruled, in 1974, that the Legislature had to approve any land deal made between the Governor and the military.

The Navy was planning on using eminent domain to acquire the needed land when the Commander of the U.S. Naval Forces Marianas, RADM G. Steve Morrison, maneuvered the situation against the official position of the Navy Department to select Orote Point as the new location for the wharf, remaining within the existing Navy footprint. He obtained the support of the local community, the Legislature, and the Governor for this option that cost



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more than the Sella Bay option. His maneuver worked, and the new ammunition wharf has since been located near Gab Gab beach on Orote Point, permitting the commercial port to expand without any loss of additional land to the military.

In that timeframe, many possible sites were studied for a new wharf. Now, the DEIS is plowing over old ground, reinventing the wheel. The depths of the water have not changed and the locations of coral have not changed. The DEIS process looked at 12 sites and ended up with a preferred site at Polaris Point with a close second site at the SRF area.

However, both of these sites would require the destruction of about 36 acres of coral. The desired depth of water should be 49.5 feet for aircraft carriers, since their navigational draft is 37 feet. In today's "green" environment, the proposed destruction of coral has created a firestorm of criticism. In my opinion, absent a major war, it is politically infeasible to destroy that much coral for any single project. This uproar is especially heightened when the only proposed mitigation in the DEIS is to create artificial reefs. Just look at what happened to the millions of old rubber tires dumped off the coast of Florida to create artificial reefs. They broke their moorings and have been scattered all along the coast. An absolute ecological disaster has occurred.

**RECOMMENDED ALTERNATIVE:** In 1990 an Iowa class battleship, Wisconsin, visited Guam and moored along the fuel pier, which is labeled as the Delta/Echo Wharves. This battleship has the same navigational depth, 37 ft., as an aircraft carrier, with a beam of 108 ft., compared to the 252 ft. beam of a Nimitz-class carrier. This location provides a nice straight-in approach clear of the coral fields. However, the DEIS accurately points out that the gap between these wharfs and the Commercial Port side of that channel is only 803 ft. The commercial container ships have 34 ft. navigational draft and a beam of 106 ft. This gap is therefore too narrow for a Nimitz-class carrier, with its angled decks going out the port side, for large commercial freighters to maneuver past. Add that to the 106 ft. beam of the container ship and the total is 358 ft. Subtracting 358 ft from the 803 ft gap in the channel leaves only 445 ft. for safe passage.

Safe passage is possible, but certainly not a desirable squeeze. It reminds one of the channel going into Miami harbor. This tight situation is especially pertinent in light of new security postures since the attacks of 9/11. The aircraft carrier needs a buffer zone around it. This wharf would be exposed to non-military personnel on the merchant ships and within the commercial port area, just across the waterway.

The aircraft carrier Kitty Hawk, slightly smaller than the Nimitz class ships, visited Guam and was able to moor at Delta/Echo wharves, but the Nimitz class cannot moor there because of the depth and the tight width situation as described above.

An option would be for the gap to be widened and the berth be deepened. This would be expensive, but not as expensive as dredging 36 acres of coral. The land area on the military side of the channel would be the area subject to removal to widen the gap. It would only need to be widened enough to cover the length of the carrier, 1092 feet.



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Another option, which I prefer and recommend, is to use Kilo Wharf. This is the location ultimately selected from many alternatives in the 1974-1975 search and evaluation process. Aircraft carriers use this wharf at this time. It is currently undergoing improvements, by International Bridge Corporation (IBC/TOA Corp.), to extend the length of the wharf from 400 feet to 800 feet. This MILCON project is for about \$43 million, to be finished this year, and is designed "to accommodate the new T-AKE class of ammunition vessels and meet current seismic standards." (NAVFAC Marianas media release of November 25, 2008). The T-AKE class ships are for dry cargo and ammunition. Their draft is 29.9 ft, their length is 689 ft, and their beam is 106 ft. These new ships require a tie-down of 800 ft., double the length of the current wharf.

The previous wharf depth of 45 ft. alongside was sufficient for aircraft carriers. Length was the issue. That issue is being taken care of. Power, water, wastewater, phones, and IT connections are available at Kilo Wharf. However, they are sized to support a Military Sealift Command (MSC) vessel (small crew). Their capacity would need to be enhanced to support the aircraft carrier.

The rationale in the DEIS for dismissing this alternative is that it is "operationally not practical." (Vol. 2, page 2-9). The text on page 2-12 states, "This wharf is DoD's only dedicated munitions wharf in the Western Pacific Region. For planning purposes, Apra Harbor currently supports an average of 16 days in port per year for carrier and CSG [Carrier Strike Group] port calls (However, as described in Chapter 1, this schedule varies based on Fleet operational requirements). Currently, the visits are disruptive to munitions operations, but manageable. The proposed increased frequency and duration of carrier visits (a maximum of 63 days in port per year) coupled with expected increased ammunition ship operations would result in a significant negative impact on the ability of the Navy to meet its munitions mission, as described in Chapter 1 of this Volume."

The Navy believes that while the Kilo Wharf can accommodate short visits of Nimitz class carriers, it cannot accommodate the longer term visits envisioned for the Transient CVN Wharf, because it needs to be free for its primary mission of ammunition onload/offload.

Thinking outside the box, it comes to mind that if the capability desired for accommodating an ammunition ship matches, roughly, the same requirements as for an aircraft carrier, the obvious solution is to use Kilo Wharf for both the aircraft carriers and the ammunition ships.

Security is maximized in this location. It is near to the harbor entrance, which enhances the ability to exit the harbor quickly for emergency sorties to open seas in the event of any threat, whether weather or manmade. Yet it is deep inside the fences of the Navy base, which enhances the protection of the ship. Finally, it is near the quality of life facilities located on the Navy base.

The solution is to moor the ammunition ship at one of the deep draft buoys in outer Apra Harbor, where the Maritime Pre-position Ships (MPS) moor, whenever there is an overlap in their schedules. This location for the ammunition ship would only be needed for those days when the aircraft carrier is moored to Kilo Wharf. The aircraft carriers would still be able to visit Guam at an enhanced frequency and duration compared to now.



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This alternative was NOT studied in the DEIS. The DEIS states that the current scheduling overlaps are manageable, but fears that with enhanced carrier port visits and increased ammunition ship visits that the situation will become more difficult. I assert that this cannot be proven. I further assert that this option is a feasible fall-back option to the DFIS' preferred option. I assert that the preferred option is a "NO-ACTION" option so the fall-back one must be chosen, even if port operations may be more difficult than in the past. In the words of General Bice relative to the firing range, "it just comes down to a scheduling challenge."

No dredging of coral would be required. Extensive dredging has recently been conducted around Kilo Wharf, primarily to clear rock and coral under and adjacent to the extension itself in order to provide new footings for the extension. The limiting depth on the chart is 52 ft. for the approach to the wharf, with 45 ft. alongside.

If one looks at the overall situation from a viewpoint of maximizing the satisfaction of the military's needs, then one is led to the conclusions found in the DEIS. If one looks for a balance of the military and civilian community's needs, as envisioned by Assistant Secretary Natsuhara, then this proposal for Kilo Wharf is the best alternative. It provides for a "win-win" accommodation of both communities' core interests. The aircraft carriers would have more ship visit days in Guam as desired by the military, and the coral would remain untouched as desired by the civilians.

I believe that a firestorm within the civilian community has begun over the coral destruction issue. Therefore, the best course of action is to accommodate the civilian need to avoid any further destruction of coral by selecting Kilo Wharf for the aircraft carrier location. A compromise is needed that provides for the core-interests of both sides being protected. My solution does that.

*Seseyamente,*

Judith P. Guthertz, DPA  
Senator

- c: Barack Obama, President of the United States
- The Honorable Felix P. Camacho, Governor of Guam
- The Honorable Hillary R. Clinton, Secretary of State
- The Honorable Robert Gates, Secretary of Defense
- The Honorable Ray Mabus, Secretary of the Navy
- The Honorable Michael B. Donley, Secretary of the Air Force
- The Honorable Madelaine Z. Bordallo, Guam Delegate to Congress
- The Honorable Gregorio Sablan, CNMI Delegate to Congress
- The Honorable Ken Salazar, Secretary of the Interior
- The Honorable Benigno R. Fitial, Governor of the Commonwealth of the Northern Mariana Islands
- The Honorable Roger Natsuhara, Assistant Secretary of the Navy for Installations and Environment
- The Honorable Anthony Babauta, Assistant Secretary of the Interior for Insular Affairs
- Rear Admiral Douglass Biesel, U.S.N., Commander, Joint Region Marianas
- Brigadier General Philip Ruhiman, U.S.A.F., Deputy Commander, Joint Region Marianas
- All Senators, 30th Guam Legislature

*I MINA'TRENTA NA LIHESLATURAN GUÅHAN*  
2009 (FIRST) Regular Session

**Resolution No. 258-30 (COR)**

As amended.

Introduced by:

Judith P. Guthertz, DPA  
R. J. Respicio  
Judith T. Won Pat, Ed.D.  
B. J.F. Cruz  
T. R. Muña Barnes  
T. C. Ada  
F. B. Aguon, Jr.  
F. F. Blas, Jr.  
E. J.B. Calvo  
J. V. Espaldon  
Adolpho B. Palacios, Sr.  
v. c. pangelinan  
Telo Taitague  
Ray Tenorio

**Relative to expressing the strong and abiding opposition of *I Liheslaturan Guåhan* and the People of Guam to any use of eminent domain [condemnation] for the purpose of obtaining Guam lands for either the currently planned military buildup or other U.S. federal government purposes, or both.**

1        **BE IT RESOLVED BY I MINA'TRENTA NA LIHESLATURAN**

2        **GUÁHAN:**

3        **WHEREAS,** the island of Guam has only one hundred forty-seven  
4 thousand (147,000) acres of land available to it for all purposes; and

5        **WHEREAS,** the Department of Defense currently possesses forty  
6 thousand (40,000) acres, constituting 27.21 percent of the island's land mass;  
7 and

8        **WHEREAS,** the United States National Park Service currently possesses  
9 six hundred ninety-five (695) acres, *or* 0.47 percent of the island; and

10       **WHEREAS,** the United States Fish & Wildlife Service currently  
11 possesses three hundred eighty-five (385) acres, *or* 0.26 percent of the island;  
12 and

13       **WHEREAS,** the Government of Guam currently possesses thirty-seven  
14 thousand six hundred seventy-three and thirty-six (37,673.36) acres, *or* 25.6  
15 percent of the island; and

16       **WHEREAS,** the private lands of Guam consist of *only* sixty-eight  
17 thousand two hundred forty-six (68,246) acres, *or* 46.43 percent of the island;  
18 and

19       **WHEREAS,** the federal Government, in its draft Environmental Impact  
20 Statement (DEIS) for the military buildup, has stated it desires additional land  
21 for its buildup for a Proposed Training Range Complex, offering two (2)  
22 alternatives: Alternative A, identified as the preferred alternative, calls for  
23 acquiring by lease *or* condemnation nine hundred twenty-one (921) acres for

1 this training range complex, which apparently is limited to public lands  
2 belonging to the *Chamorro* Land Trust Commission and the Ancestral Lands  
3 Commission, and Alternative B, east of Andy South, that calls for acquiring by  
4 long-term lease *or* condemnation one thousand one hundred twenty-nine  
5 (1,129) additional acres, some private and some public; and

6 **WHEREAS**, the DEIS also states that the military desires the former  
7 FAA Housing Area, comprising six hundred eighty (680) acres of Ancestral  
8 Lands, which would fill in a gap in the future Marine Corps base between  
9 NCTS *Finegayan* and South *Finegayan*; and

10 **WHEREAS**, the Joint Guam Program Office (JGPO) has declined to be  
11 clear regarding the possibility of eminent domain/condemnation being used  
12 as a tool to acquire the desired access to additional land in Guam, either  
13 directly *or* indirectly as a threat to back up “negotiations”; and

14 **WHEREAS**, the Joint Guam Program Office has stated that all options  
15 “are on the table” when it comes to additional land needed by the military,  
16 and that there is such a thing as “friendly condemnation”; and

17 **WHEREAS**, it appears that the federal government has *no* appreciation  
18 for the history of Federal land takings in Guam, *or* the importance of land to  
19 the people of Guam; and

20 **WHEREAS**, the history of land takings and the importance of land in  
21 the local culture of a tiny island have resulted in a significant sensitivity to  
22 Federal land takings on the part of the local people; and

1           **WHEREAS**, *Chamorro* historian, Reverend Joaquin Flores Sablan, wrote  
2 that land and family lineage continued to be the basis of wealth and prestige:  
3 “Land ownership was the greatest security, particularly inherited property  
4 which they treated as a sacred trust from their parents. To part with the land  
5 was the same as committing suicide.” [Destiny’s Landfall: A History of  
6 Guam, by Robert F. Rogers, University of Hawai’I Press, 1995, page 142]; and

7           **WHEREAS**, the Naval government, from 1898 until 1950, completely  
8 ignored the *Chamorro* people’s devotion to the land, issuing their second  
9 order, on January 30, 1899, to confiscate land in the *Piti* area to use for a  
10 coaling site and Navy yard. The people of Guam were never compensated for  
11 that very first land taking, just the “first of a long series of controversial steps  
12 whereby United States governmental agencies acquired large portions of land  
13 on Guam” [Rogers, page 115]; and

14           **WHEREAS**, the Naval government held over one-third of the island of  
15 Guam on the eve of World War II, and within three (3) months of the  
16 liberation of the island in 1944, five (5) airfields were built; and

17           **WHEREAS**, by Public Law 594, the Land Acquisition Act passed by the  
18 U.S. Congress on August 2, 1946, the Navy Department was authorized to  
19 acquire private land needed for permanent military installations on the island,  
20 but compensation was inadequate, due in part to a lack of proper land  
21 valuation in the largely agrarian island, amounting to only pennies on the  
22 dollar for the actual value of the land; and

1           **WHEREAS**, from 1947 to 1950, the main mission of Guam’s military  
2 command was to complete building facilities, and for this purpose large  
3 pieces of land were taken; and

4           **WHEREAS**, the postwar land takings were mixed in time and process  
5 with limited and inadequate compensation for personal injury and death and  
6 property damage under the Federally-created Land and Claims Commission;  
7 and

8           **WHEREAS**, the United States federal government still has *not*  
9 appreciated the connection between compensation for the sufferings of the  
10 people of Guam at the hands of the Japanese occupiers and the takings of  
11 land; and

12           **WHEREAS**, the Land and Claims Commission condemned land, but  
13 became bogged down in the legal complexities of hundreds of property  
14 transactions. Rogers states [p. 215] that, “The commission was understaffed  
15 as well as inexperienced in real estate matters. Higher commands nonetheless  
16 pressured the staff to meet tight deadlines for land transfers in order for  
17 construction of new military projects to proceed”; and

18           **WHEREAS**, when former landowners *or* their heirs attempted to take  
19 these injustices to Federal court for redress of the situation, they were told that  
20 the statute of limitations had been exceeded; and

21           **WHEREAS**, without consultation with Guam officials *or* owners of  
22 leased properties, the new civilian governor, Carlton Skinner, signed a quit-  
23 claim deed on July 31, 1950, the day before the Organic Act went into effect,

1 whereby the Government of Guam transferred all condemned property to the  
2 United States of America “for its own use.” This left the Navy and Air Force  
3 in direct control of about forty-nine thousand six hundred (49,600) acres, *or*  
4 over thirty-six percent (36%) of the island; and

5 **WHEREAS**, the very first case in the new court under the Organic Act,  
6 which granted American citizenship to the *Chamorros*, was a retaking of all of  
7 the previous takings, to ensure that *no* claim could be made that land could  
8 *not* be taken from the *Chamorros* prior to their becoming American citizens;  
9 and

10 **WHEREAS**, in 1977, the creation of the new War in the Pacific Memorial  
11 Park saw the condemnation of coastal land in the *Agat* area, thus preventing  
12 the construction of the *Agat* Marina for many years; and

13 **WHEREAS**, in the 1980’s, the U.S. Congress attempted to correct the  
14 obvious injustice of the postwar land takings by authorizing the land taking  
15 cases to be reopened and additional compensation be paid; and

16 **WHEREAS**, while many former landowners accepted the class action  
17 settlement under this law, some previous landowners of large holdings, such  
18 as those at Andersen Air Force Base and including the very land at NCTS  
19 envisioned by the federal government for the new Marine Corps base, opted  
20 out of the settlement and their claims against the federal government under  
21 that law have *not* been settled to this day; and

22 **WHEREAS**, the final insult to the people of Guam came when the three  
23 hundred eighty-five (385) acres of the former Naval Facility, Guam at *Ritidian*

1 Point was declared excess in the 1990's and was grabbed quietly, without  
2 fanfare *or* advance notice, by the U.S. Fish & Wildlife Service, rather than  
3 being returned to the original landowners via the Government of Guam; and

4 **WHEREAS**, a former Assistant U.S. Attorney handling land matters in  
5 Guam in 2000 and 2001, freely admitted that many *Chamorro* landowners at  
6 the time were cheated out of their land by land agents telling them that the  
7 paperwork to be signed was compensation for damage to coconut trees *or* that  
8 the land would be returned to the owner once there was no longer any need  
9 for it; and

10 **WHEREAS**, this sordid history of the people of Guam's most precious  
11 resource, other than its children, needs to be and must be appreciated by the  
12 United States federal government; and

13 **WHEREAS**, in response, *I Liheslatura* has specifically enacted legislation  
14 addressing Federal acquisition of property, including:

15 (a) Public Law 29-113, specifically §15105 of Chapter 15, Title 21  
16 of the Guam Code Annotated, which calls for duly enacted legislation  
17 by *I Liheslatura* to authorize "the acquisition by condemnation *or*  
18 otherwise of private property" by means of Congressional  
19 appropriation to acquire property for public use; and

20 (b) Public Law 30-21, specifically § 2401 (c) of Chapter 24, Title 1  
21 of the Guam Code Annotated, which tasks the Guam First Commission  
22 to determine which land the federal government may intend to lease *or*  
23 sub-lease, exchange for other land, *or* purchase, and to report their

1 findings to *I Liheslatura* and *I Maga'lahi*, and also requires Legislative  
2 approval of any Federal acquisition of government of Guam property,  
3 whether by lease, sub-lease, exchange *or* sale; now, therefore, be it

4 **RESOLVED**, that *I Mina'Trenta Na Liheslaturan Guåhan* does hereby, on  
5 behalf of the people of Guam, absolutely oppose the use, *or* threat of use, of  
6 eminent domain/condemnation for any acquisition of any additional Guam  
7 land, private *or* public, for any purpose whatsoever related to the planned  
8 military buildup; and be it further

9 **RESOLVED**, that *I Mina'Trenta Na Liheslaturan Guåhan* does hereby, on  
10 behalf of the people of Guam, demand negotiations at arms length, with a  
11 level table, and without undue pressure being exerted on Guam landowners  
12 by the United States federal government/Department of Defense, for the  
13 acquisition of any additional land, public *or* private; and be it further

14 **RESOLVED**, that *I Mina'Trenta Na Liheslaturan Guåhan* does hereby, on  
15 behalf of the people of Guam, demand dealings concerning land are held in  
16 good faith between the United States federal government/Department of  
17 Defense and private landowners that are willing to lease/sell their property to  
18 the federal government, and are also held in good faith with the official  
19 representatives of the people of Guam in discussing the potential lease of land  
20 from the government of Guam; and be it further

21 **RESOLVED**, that *I Mina'Trenta Na Liheslaturan Guåhan* does hereby, on  
22 behalf of the people of Guam, demand that the federal government renounce  
23 any repeat of history, and declares that condemnation *SHALL NOT* be a tool

1 available to the federal government, either directly *or* through the use of  
2 intimidation, in relation to the Guam military buildup; and be it further

3 **RESOLVED**, that *I Mina'Trentia Na Liheslaturan Guåhan* does hereby, on  
4 behalf of the people of Guam, recognize and memorialize the many years of  
5 injustice and mistreatment of the people of Guam, as reflected in the foregoing  
6 history of Federal land takings; and be it further

7 **RESOLVED**, that the Speaker certify, and the Legislative Secretary  
8 attest to, the adoption hereof, and that copies of the same be thereafter  
9 transmitted to the Honorable Barack Obama, President of the United States; to  
10 the Honorable Nancy Pelosi, Speaker of the United States House of  
11 Representatives; to the Honorable Robert Byrd, President Pro Tem of the U.S.  
12 Senate; to the Honorable Madeleine Z. Bordallo, Guam Delegate to Congress;  
13 to the Honorable Ban Ki-moon, Secretary General of the United Nations; to  
14 the Honorable Hillary Rodham Clinton, Secretary of State; to the Honorable  
15 William Gates, Secretary of Defense; to the Honorable Ray Mabus, Secretary  
16 of the Navy; to the Honorable Michael B. Donley, Secretary of the Air Force; to  
17 the Honorable John M. McHugh, Secretary of the Army; to the Honorable Ken  
18 Salazar, Secretary of Interior; to the Honorable Anthony Babauta, Assistant  
19 Secretary of the Interior for Insular Affairs; to the Honorable Benigno Fitial,  
20 Governor of the Commonwealth of the Northern Mariana Islands; and to the  
21 Honorable Felix P. Camacho, *I Maga'lahaen Guåhan* (Governor of Guam).

DULY AND REGULARLY ADOPTED BY I MINA'TRENTA NA  
LIHESLATURAN GUÅHAN ON THIS 22<sup>ND</sup> DAY OF JANUARY 2010.



JUDITH T. WON PAT, Ed.D.  
Speaker



TINA ROSE MUÑA BARNES  
Legislative Secretary

*I MINA'TRENTA NA LIHESLATURAN GUÅHAN*  
2010 (SECOND) REGULAR SESSION

**Resolution No. 275-30 (LS)**

As substituted by the author,  
and amended on the Floor.

Introduced by:

R. J. Respicio  
Judith P. Guthertz, DPA  
Judith T. Won Pat, Ed.D.  
Adolpho B. Palacios, Sr.  
Telo Taitague  
T. R. Muña Barnes  
v. c. pangelinan  
T. C. Ada  
F. B. Aguon, Jr.  
B. J.F. Cruz  
E. J.B. Calvo  
J. V. Espaldon  
F. F. Blas, Jr.  
Ray Tenorio

RELATIVE TO PRESENTING TO PRESIDENT  
BARACK OBAMA AND THE CONGRESS OF THE  
UNITED STATES, THE SENTIMENTS EXPRESSED BY  
THE PEOPLE OF GUAM RELATIVE TO THE DRAFT  
ENVIRONMENTAL IMPACT STATEMENT (DEIS)  
FOR THE GUAM MILITARY BUILDUP; TO  
ENUMERATING THE FINDINGS OF *I LIHESLATURA*  
THAT HAVE LED TO THE CONCLUSION THAT THE  
DEIS IS GROSSLY FLAWED; TO PROVIDING A LIST

OF ESSENTIAL ELEMENTS WHICH MUST BE FAVORABLY RESOLVED; TO RESTATE GUAM'S AGENDA OF PRIORITY CONCERNS RELATIVE TO FEDERAL-TERRITORIAL ISSUES THAT MUST BE ADDRESSED CONCURRENTLY WITH THE BUILDUP; AND TO ASSERTING ADDITIONAL FINDINGS ON ACTIONABLE ITEMS RELATIVE TO THE DEIS.

1 BE IT RESOLVED BY *I MINA'TRENTA NA LIHESLATURAN*  
2 *GUÁHAN*, ON BEHALF OF THE PEOPLE OF GUAM:

3 WHEREAS, on November 20, 2009, the United States Department of  
4 Defense (DoD) released the "Draft Environmental Impact  
5 Statement/Overseas Environmental Impact Statement on the Guam and  
6 CNMI Military Relocation," hereinafter referred to as the "DEIS;" and

7 WHEREAS, according to the Executive Summary of the DEIS, "As a  
8 result of reviews of the United States defense posture in the Pacific region  
9 and the U.S. alliance with Japan, a portion of U.S. Marine Corps forces  
10 currently located in Okinawa, Japan would be relocated to Guam. This  
11 relocation is proposed to occur during the same timeframe as a proposed  
12 wharf construction in Guam's Apra Harbor to support U.S. Navy transiting  
13 nuclear aircraft carriers. A U.S. Army Air and Missile Defense Task Force  
14 (AMDTF) is also proposed for Guam to protect against the threat of harm  
15 from ballistic missile attacks"; and

1           **WHEREAS**, *I Liheslaturan Guåhan* finds that while the most massive  
2 peacetime military buildup in American history is planned to take place in  
3 one of America’s smallest communities, such a drastic imposition of  
4 military might must be coupled with a moral obligation to provide a  
5 deeper, and more sincere consideration of Guam’s civilian community. *I*  
6 *Liheslaturan Guåhan*, the voice of one of the nation’s most patriotic  
7 communities, willingly shares in the commitment to forge security for our  
8 nation and the world, but strongly maintains that the protection of our  
9 country cannot come at the expense of the destruction of Guam’s people:  
10 our culture, our environment and our way of living; and

11           **WHEREAS**, *I Liheslaturan Guåhan* deems that the conduct of the  
12 Department of Defense in presenting the DEIS to our community for  
13 review, is grossly flawed in that DoD failed to:

14           (a) provide necessary accommodations during the document  
15 review period for access of persons with disabilities;

16           (b) account for the fact that this review period was scheduled  
17 to take place during the most culturally and religiously sensitive time  
18 of year for the people of Guam, encompassing five (5) holidays,  
19 including Thanksgiving, Christmas, New Year’s Day and Martin  
20 Luther King Day, in addition to a significant religious local holiday  
21 honoring Our Lady of Camarin, thereby limiting the amount of time  
22 to review the DEIS;

23           (c) reasonably provide three (3) separate and distinct DEIS

1 elements, to logically correspond to each of DoD's proposed actions;

2 (d) address the indirect impacts of the buildup; and

3 (e) allow a reasonable period of time for review of the  
4 equivalent of three (3) separate and distinct DoD actions, but instead  
5 provided a mere ninety (90) days to review the document consisting  
6 of more than eleven thousand (11,000) pages of information relative  
7 to this drastic undertaking. It is the consensus among our people and  
8 our leaders that such an unrealistic and inadequate review period is  
9 grossly insufficient to thoroughly review the document, analyze its  
10 impacts and present comments and viable alternatives to the  
11 proposals presented. *I Liheslaturan Guåhan* finds that the review  
12 period should be extended to give our island community time to  
13 assist in the development of an equitably beneficial buildup strategy;  
14 and

15 **WHEREAS**, these flaws warrant both executive and congressional  
16 intervention mandating that DoD provide the people of Guam with a  
17 revised DEIS, providing for a reasonable time period to review and  
18 respond to the revised DEIS; responses to which, DoD must address before  
19 a Final EIS is released; and

20 **WHEREAS**, notwithstanding the aforementioned concerns, the  
21 people of Guam still made a good faith effort to provide their input on the  
22 DEIS during various public meetings/hearings conducted in areas  
23 throughout the island: four (4) by the Joint Guam Program Office (JGPO);

1 two (2) by *I Maga'lahaen Guåhan* (the Governor of Guam), Felix P. Camacho;  
2 six (6) by *I Liheslaturan Guåhan* (the Guam Legislature); and five (5) by  
3 Guam's Congressional Delegate, Madeleine Z. Bordallo; and

4 **WHEREAS**, at these meetings/hearings, the vast majority of the  
5 hundreds of Guam residents who provided oral and/or written testimony  
6 were vehemently against the overall buildup; and more specifically,  
7 expressed overwhelming opposition to the following:

8 (a) **land condemnation**, asserting that further forced takings  
9 of private and public land will affect present and future organic  
10 growth of Guam's population and economy, and that the federal  
11 government already possesses sufficient land resources to conduct  
12 the buildup within their existing footprint, which comprises nearly  
13 thirty percent (30%) of Guam's two hundred twelve (212) square  
14 miles. This "no condemnation" position was originally presented to  
15 the people of Guam by JGPO;

16 (b) **destruction of culturally/historically significant sites**  
17 and other archeological areas;

18 (c) **prohibition/restriction of civilian access to**  
19 culturally/historically significant sites and other archeological and  
20 recreational areas;

21 (d) **destruction of marine ecosystems** by the dredging of  
22 thirty-nine (39) acres of living coral in Apra Harbor, where there  
23 exists over one hundred (100) species of coral, a tremendous amount

1 when compared to the fifty-five (55) species found throughout the  
2 thousands of square miles comprising the entire Caribbean area;

3 **(e) spread of existing radioactive contamination** by  
4 dredging Apra Harbor, where there exists a record of radioactive  
5 leaks and where the wash-down of Navy vessels used during nuclear  
6 testing in the Marshalls took place, thereby releasing radioactive  
7 contaminants into our ocean. DoD's intent to dredge the harbor and  
8 to subsequently dump the dredged material and disperse potentially  
9 radioactive materials into areas where marine life could be affected is  
10 strongly opposed;

11 **(f) adverse impacts to our environment**, including actions  
12 that could cause the extinction of endangered species, the destruction  
13 of ecosystems, and the depletion of terrestrial biological resources;

14 **(g) further strains on our resources** that will be caused by  
15 the massive population increase resulting from the buildup process,  
16 leading to congested highways, overcrowded schools, overburdened  
17 utility infrastructure, and increased public safety concerns, all of  
18 which will have a detrimental effect on the quality of life of the  
19 people of Guam; and

20 **(h) lack of commitment of mitigation funds** from the federal  
21 government and the DoD for:

22 **(1) capital improvement** for integrated power systems,  
23 water and wastewater treatment plants, and new sources of

1           potable water to meet increased service demands resulting from  
2           the massive population explosion that will be caused by the  
3           buildup;

4           (2) **social infrastructure** for additional medical  
5           facilities, health care services, mental health care services,  
6           educational facilities, and recreational/community facilities to  
7           meet the significant increases in service demands resulting from  
8           the massive population explosion that will be caused by the  
9           buildup;

10          (3) **human resource development**, including, but *not*  
11          limited to, medical professionals; educators and educational  
12          support staff; law enforcement and emergency management  
13          personnel; regulatory inspection and enforcement positions;  
14          community and social service professionals; construction  
15          tradespersons; and business professionals; and

16          (4) **combating invasive species**, the inevitable increase  
17          of which will result from the massive influx of passengers and  
18          cargo due to the buildup; these funds would be provided to the  
19          Interagency Biosecurity Task Force for this purpose; and

20          **WHEREAS**, notwithstanding the aforementioned concerns, *I*  
21          *Liheslaturan Guåhan* joins members of Guam's community in their efforts to  
22          respond to the DEIS, and presents the following issues as essential  
23          elements of compliance that warrant favorable resolution:

1           **(a) Land** - the buildup *shall* be limited to the existing  
2 footprint of federal land holdings. *No* forced land acquisitions will be  
3 permitted; and should there be an unavoidable need to acquire more  
4 land, such acquisitions *shall only* be achieved through mutually  
5 beneficial negotiations with the landowner; eminent  
6 domain/condemnation *shall not* be used to effect such acquisition. As  
7 previously stated, this “no condemnation” position was originally  
8 presented to the people of Guam by JGPO. To remain within their  
9 footprint, the DoD should:

10                   (1) pursue joint usage of existing military facilities for  
11 operations and training;

12                   (2) maximize the use of vertical regimes for military  
13 facilities and housing in *Finegayan* and elsewhere; and

14                   (3) place the Marine aviation component at Andersen  
15 Air Force Base, which would decrease the impact of the  
16 Marine relocation to *Finegayan*;

17           **(b) Dredging** - any dredging of live coral or radioactive  
18 material within the Apra Harbor reservation *shall* be prohibited;

19           **(c) Physical & Mental Healthcare** - to minimize and mitigate  
20 against any adverse impact on the community’s healthcare  
21 capabilities, the physical and mental healthcare treatment for all H2B  
22 laborers and other workers brought to Guam from off-island on  
23 military contracts associated with the military buildup *shall* take

1 place at Naval Hospital, and/or in clinics located on military  
2 installations, and/or through previously contracted healthcare  
3 arrangements;

4 (d) **Sociocultural Impacts of the Buildup** – The current  
5 findings presented in the DEIS Volume 7: Potential Mitigation,  
6 Preferred Alternative Impacts, and Cumulative Impacts, as they  
7 relate to sociocultural impacts of the buildup, run contrary to the  
8 obligations of the United States as the administering authority over  
9 Guam as a non-self-governing territory, pursuant to international law  
10 of which the U.S. is a signatory party. Volume 7, page 3-55 states:  
11 “The political importance of some Chamorro issues would likely  
12 recede as the “militarization” of Guam is stabilized at something  
13 close to present levels.”

14 Volume 7 goes on to recognize, on page 3-64, that “an  
15 expansion in non-Chamorro voting population could eventually  
16 affect the proportion of Chamorro office-holders and government  
17 workers; thereby affecting the current government budgets and  
18 activities dedicated to cultural issues and practices. It could also  
19 affect outcomes of any future plebiscites about Guam’s political  
20 status.”

21 *I Liheslatura* asserts that the “outcomes of any future plebiscites  
22 about Guam’s political status” *will* be affection; therefore, Guam’s  
23 long-standing issues *must* be resolved during the planning of this

1        **buildup** because as it has been argued over the years, and as Volume  
2        7 supports, once the buildup is complete, the opportunity to do so  
3        will be lost, to the detriment of the people of Guam.”

4                **(e) Infrastructure Upgrades** - the United States Government  
5        Accountability Office released a report on “Defense Infrastructure”  
6        (GAO-09-653) in June 2009, finding that several planning challenges  
7        of the Department of Defense could adversely affect its future  
8        planning efforts in regards to providing utility services to support the  
9        buildup; particular challenges cited include:

10                (1) the failure of DoD to identify additional utility  
11                funding sources, although the agency realizes their cost is likely  
12                to exceed the utility funding committed by Japan; and

13                (2) the time frames for completing the building of  
14                utilities to meet DoD’s scheduled increase of military presence  
15                on Guam provides little flexibility to accommodate any major  
16                adjustments in milestone dates.

17        *I Liheslaturan Guåhan* asserts that the DoD must prepare a  
18        comprehensive utility plan that *shall* specify the assistance the DoD and/or  
19        federal government *shall* provide to Guam to upgrade and improve civilian  
20        resources and infrastructure to meet the additional needs and demands of  
21        the increased population resulting from the buildup; and

22                **(f) Pollution Control** – There exists a concern that DoD has a  
23        separate and liberal standard in the definition of pollution. The DoD

1 must work in conjunction with the U.S. Environmental Protection  
2 Agency and the Guam Environmental Protection Agency to define  
3 what constitutes “pollution,” and identify and implement proper and  
4 adequate emission control mechanisms to address the water, soil, air  
5 and noise pollution that will occur during, and as a result of, the  
6 construction of the additional land-based infrastructure; and

7 **WHEREAS**, *I Liheslaturan Guåhan* asserts that the aforementioned  
8 issues, related to the buildup, must be addressed concurrently with other  
9 long-standing and unresolved federal-territorial issues, which must *not* be  
10 taken off the table until resolved; and

11 **WHEREAS**, in regards to the progress of nations, President Barack  
12 Obama stated in his State of the Union Address on January 27, 2010, “I do  
13 not accept second place for America”; thus, he should *not* accept second  
14 class citizenship for Americans. He must uphold his commitment to take  
15 action on these federal-territorial issues that continue to have negative  
16 effects on Guam and our people; and

17 **WHEREAS**, the “Agenda of Priority Concerns” for Guam relative to  
18 federal-territorial issues, as presented in Resolution No. 15 (COR) adopted  
19 by *I Liheslaturan Guåhan* on February 27, 2009, and transmitted to the White  
20 House and key members of Congress, is as follows:

21 (a) Recognition of the right to self-determination of the native  
22 inhabitants of Guam;

23 (b) The need for a just political status, and a political status

1 plebiscite;

2 (c) Resolution of the issue of unreturned ancestral lands by  
3 way of a return of lands, either the actual land involved, *or*  
4 equivalent parcels;

5 (d) Implementation of War Reparations recommendations as  
6 provided for in the Guam Loyalty Recognition Act;

7 (e) Necessary funding, as identified by the Guam First  
8 Commission, that is needed to meet capital infrastructure obligations  
9 imposed on Guam as a result of the ongoing buildup of U.S. military  
10 forces, including, utilities, educational facilities and healthcare  
11 facilities;

12 (f) Inclusion in the Supplemental Security Income (SSI)  
13 program for the disabled, which applies to all fifty (50) States and the  
14 Commonwealth of the Northern Mariana Islands (CNMI), but *not* to  
15 Guam;

16 (g) Exemption from the Jones Act, which has an adverse  
17 impact on Guam's cost of living, and which applies fully *only* to  
18 Guam among all of U.S. insular areas;

19 (h) Removal of funding caps on Medicaid and Public  
20 Assistance programs mandated by the federal government;

21 (i) Full reimbursement for impact costs of the Compacts of  
22 Free Association on Guam's government resources;

23 (j) The provision of sufficient health care resources to address

1 the needs of Guam's Veterans and all of Guam's families;

2 (k) Clean-up of environmental hazards that were created *or*  
3 augmented by the federal government, and to include environmental  
4 protections;

5 (l) Investigation and treatment of serious health problems  
6 related to federal activity, including, "down-winders," those  
7 individuals who resided in Guam at the time of nuclear weapons  
8 testing in the Pacific;

9 (m) Full participation in economic stimulus legislation,  
10 especially as it relates to public facilities, structures and infrastructure  
11 projects and public safety facilities;

12 (n) Greater participation in federal mass transit and other  
13 public transportation programs;

14 (o) Establishment of a secure Guam-only Visa Waiver program  
15 for visitors, in order to foster growth in our tourism economy;

16 (p) Assistance with other economic development initiatives;

17 (q) Reimbursement of the Earned Income Tax Credits (EITC)  
18 paid *or* owed to Guam tax filers by the government of Guam since the  
19 inception of the program and payment of all future EITC payments  
20 obligations;

21 (r) Inclusion of Russia and the People's Republic of China on  
22 the list of approved countries for the Guam-CNMI Visa Waiver  
23 Program; and

1       **WHEREAS**, in response to the DEIS, *I Liheslaturan Guåhan*  
2 additionally asserts the following findings:

3               **Finding No. 1:** *I Liheslaturan Guåhan* reiterates that as the most  
4 massive peacetime military buildup in American history is planned  
5 to take place in one of America’s smallest communities, such a drastic  
6 imposition of military might must be coupled with a moral obligation  
7 to provide a deeper, and more sincere consideration of Guam’s  
8 civilian community. *I Liheslaturan Guåhan*, the voice of one of the  
9 nation’s most patriotic communities, willingly shares in the  
10 commitment to forge security for our nation and the world, but  
11 strongly maintains that the protection of our country cannot come at  
12 the expense of the destruction of Guam’s people: our culture, our  
13 environment and our way of living.

14               *I Liheslaturan Guåhan* further finds that the conduct of the  
15 Department of Defense in presenting the DEIS to our community for  
16 review, is grossly flawed in that DoD failed to:

17               (a) provide necessary accommodations during the  
18 document review period for access of persons with disabilities;

19               (b) account for the fact that this review period was  
20 scheduled to take place during the most culturally and  
21 religiously sensitive time of year for the people of Guam,  
22 encompassing five (5) holidays, including Thanksgiving,  
23 Christmas, New Year’s Day and Martin Luther King Day, in

1 addition to a significant religious local holiday honoring Our  
2 Lady of Camarin, thereby limiting the amount of time to review  
3 the DEIS;

4 (c) reasonably provide three (3) separate and distinct  
5 DEIS elements, to logically correspond to each of DoD's  
6 proposed actions;

7 (d) address the indirect impacts of the buildup; and

8 (e) allow a reasonable period of time for review of the  
9 equivalent of three (3) separate and distinct DoD actions, but  
10 instead provided a mere ninety (90) days to review the  
11 document consisting of more than eleven thousand (11,000)  
12 pages of information relative to this drastic undertaking. It is  
13 the consensus among our people and our leaders that such an  
14 unrealistic and inadequate review period is grossly insufficient  
15 to thoroughly review the document, analyze its impacts and  
16 present comments and viable alternatives to the proposals  
17 presented. *I Liheslaturan Guåhan* finds that the review period  
18 should be extended to give our island community time to assist  
19 in the development of an equitably beneficial buildup strategy.

20 It is the position of *I Liheslaturan Guåhan* that these flaws  
21 warrant both executive and congressional intervention mandating  
22 that DoD provide the people of Guam with a revised DEIS, providing  
23 for a reasonable time period to review and respond to the revised

1 DEIS; responses to which, DoD must address before a Final EIS is  
2 released.

3 **Finding No. 2:** In Volume 1, Table ES-2 depicts the “Estimated  
4 Total Population Increase in Guam from Off-Island (Direct, Indirect,  
5 and Induced).” This table indicates that at the peak of the buildup in  
6 2014, there will be approximately eighty thousand (80,000) additional  
7 people in Guam from off-island. By 2017, this number falls to  
8 approximately thirty-three thousand (33,000). However, this chart is  
9 insufficient in that it does not account for the current population, and  
10 the natural growth of such.

11 Attached as “Exhibit 1” is a more complete chart that combines  
12 Table ES-2 with additional information displaying the estimated  
13 annual total Guam population from 2010 to 2020. The total  
14 population figure peaks at nearly two hundred ninety thousand  
15 (290,000) in 2014; drops to about two hundred fifty thousand  
16 (250,000) in 2017; and climbs thereafter due to natural growth.  
17 “Exhibit 1” assumes that the Marines being moved from Futenma,  
18 Okinawa will come to Guam. The addendum to Table ES-2 provides  
19 the “Total Guam Population Information not included in the DEIS (in  
20 italics).” This chart accounts for Guam’s natural population growth,  
21 as well as the total number of people that will be in Guam, on  
22 average, each day of the year indicated. Based on this information,  
23 Guam’s base population will grow by about seventeen percent (17%)

1 from 2010 to 2020, as will visitor arrivals.

2 Attached as "Exhibit 2" is the United States Government  
3 Accountability Office Report No. GAO-09-653, which indicates that  
4 the DoD demand for potable water will more than double by 2020.  
5 The DEIS addresses only the needs of the military, without taking  
6 into account the rapidly growing needs of the civilian population for  
7 potable water. The Army Corps of Engineers has found that the  
8 *Inarajan* watershed can produce a sustainable volume of eight-and-a-  
9 half (8.5) million gallons per day. As DoD will be drilling wells and  
10 pumping water from northern Guam's aquifer, a companion effort  
11 must also be funded by DoD to capture southern Guam's surface  
12 water for the civilian community. The GAO findings are inconsistent  
13 with the DEIS findings and must be reconciled.

14 **Finding No. 3:** The United States Government Accountability  
15 Office Report No. GAO-09-653 ("Exhibit 2") indicates that once the  
16 buildup is complete, the DoD's power needs will be three-and-a-half  
17 (3.5) times greater than today's demand. One Hundred Seventy (170)  
18 megawatts of new generation capacity will be needed to handle the  
19 increased need of the military alone. As Guam's civilian population  
20 will increase by about seventeen percent (17%) over the same period,  
21 approximately one hundred (100) megawatts of new generation  
22 capacity will be needed. DoD must begin funding Guam Power  
23 Authority projects to provide the additional two hundred seventy

1 (270) megawatts of power necessary to prevent a return to the days of  
2 "load shedding," when GPA had inadequate power reserves during  
3 the early 1990s. The GAO findings are inconsistent with the DEIS  
4 findings and must be reconciled.

5 **Finding No. 4:** A Civil-Military Advisory Council (CMAC) for  
6 Guam should be established, by the Secretary of Defense and *I*  
7 *Maga'lahaen Guåhan* (the Governor of Guam), to be a part of the Guam  
8 First Commission. The CMAC would be tasked to work on routine  
9 civil-military local issues on a regular basis. The membership,  
10 responsibilities and duties of the CMAC are outlined as follows:

11 (a) The military membership shall be designated by the  
12 Secretary of Defense, while the local membership shall be  
13 appointed by the Commission. The CMAC membership *shall*  
14 be limited to six (6) members for each of the civilian and  
15 military sides; the civilian side should include *at least one* (1)  
16 representative of *I Liheslaturan Guåhan*. The membership  
17 should ensure balance and efficiency, which is important  
18 because it must result in high-level decision-makers sitting at  
19 the table addressing local issues.

20 (b) The CMAC *shall* hold at least one (1) meeting per month  
21 to address a previously agreed upon agenda; meetings shall be co-  
22 chaired by the Commander, Regional Forces Marianas and *I*  
23 *Maga'lahaen Guåhan* (the Governor of Guam).

1 (c) Tasks and deadlines should be developed for various  
2 issues by mutual agreement. Subcommittees may be appointed.

3 (d) The officer on the Commander's staff responsible for  
4 civil-military matters and the Governor's staff assistant for military  
5 matters would serve as the secretarial staff for CMAC.

6 **Finding No. 5:** Upon the establishment of a Civil-Military  
7 Advisory Council (CMAC) for Guam, a directive, issued by both the  
8 Secretary of Defense and *I Maga'lahaen Guåhan* (the Governor of  
9 Guam), should provide that a "Leaders Meeting" be held at least once  
10 a month. Included in this top-level meeting shall be *I Maga'lahaen*  
11 *Guåhan* (the Governor of Guam), the Speaker of *I Liheslaturan Guåhan*  
12 (the Guam Legislature), the Chairperson of the Legislative Committee  
13 on Federal Affairs (or its equivalent), the Chairperson of the  
14 Legislative Committee on Military Affairs (or its equivalent), Guam's  
15 top military commanders from each branch of service, and others  
16 from the civilian community selected for their areas of expertise. The  
17 goal of these meetings is to achieve what was so eloquently  
18 articulated by Assistant Secretary of the Navy, Mr. Roger Natsuhara:  
19 "...we are committed to one Guam, whole government approach.  
20 This realignment should benefit all of us. By working together across  
21 the federal and local governments, you can be assured that it will be."

22 **Finding No. 6:** An omnibus appropriation bill may be  
23 appropriate for the infrastructure needs of Guam's civilian

1 community. The United States Government Accountability Office  
2 has determined that Two Billion Nine-Hundred Million Dollars (\$2.9  
3 Billion) is necessary for power, water, wastewater, highways,  
4 educational and healthcare facilities, and other capital improvements.  
5 Piece-meal legislation that parcels out small appropriations over long  
6 periods of time will *not* answer needs that will appear almost  
7 immediately. Guam should *not* be forced to compete with the fifty  
8 (50) states and the other territories for grants and loans for these  
9 immediate needs.

10 Greater participation in Federal and other public transportation  
11 programs and funding will be necessary to alleviate traffic congestion  
12 on highways in 2010, and beyond, that were designed for the volume  
13 of the 1980s and 90s; assistance with economic development  
14 initiatives will be paramount to keep Guam's economy growing  
15 when the buildup begins to wind down.

16 **Finding No. 7:** The buildup's impact on tourism will come  
17 from every direction: the massive number of construction projects  
18 and heavy trucks that will clog the highways; the dramatic increase in  
19 the numbers that avail themselves of Guam's entertainment industry  
20 and beautiful beaches; and the heightened, more visible military  
21 presence that can make travelers nervous.

22 Conservative forecasts indicate that a favorable ruling by the  
23 Department of Homeland Security relative to reducing visa

1 restrictions for visitors from China and Russia will give a favorable  
2 boost to Guam’s visitor-driven economy, as may a reduction in the  
3 restrictions against visitors from the Republic of the Philippines. This  
4 could result, according to the Guam Visitors Bureau, that up to eighty  
5 thousand (80,000) Chinese visitors alone will travel to Guam annually  
6 within three (3) years, adding over One hundred Thirty Million  
7 Dollars (\$130 Million) in annual revenue.

8 **Finding No. 8:** With respect to the Socioeconomic Impact  
9 Assessment Study (SAIS) and the entire DEIS there are many  
10 inconsistencies and omissions of data that make assessing the impact  
11 of the activity proposed by the Department of Defense (DoD) to the  
12 taxpayers of Guam unquantifiable.

13 Without a proper and accurate analysis of how much additional  
14 revenue will be collected by the government of Guam, it is *not*  
15 possible to truly assess and analyze the economic impact to Guam.  
16 The following deficiencies were identified:

17 (a) There is no documentation of the entire financial  
18 model used to develop the estimated tax revenue in Volume 9,  
19 Appendix F Section 4.3.3 making it impossible to technically  
20 analyze the SAIS output.

21 (b) The estimated impact to Gross Island Product (GIP)  
22 to the sum of all general tax revenue impact (GRT + Corporate  
23 Income Tax + Personal Income Tax) from the SAIS (Volume 9,

1 Appendix F Section 4.3.3) produces a ratio of general tax  
2 revenue as a percent of GIP that fluctuates from forty-two  
3 percent (42%) to forty-nine percent (49%). The historical Guam  
4 ratio of general tax revenue to GIP is approximately ten percent  
5 (10%) compared to the SAIS ratio of forty-two percent (42%) to  
6 forty-nine percent (49%). The estimated impact or benefit of  
7 general tax revenue appears vastly overstated based on this  
8 comparison.

9 (c) The Pacific Center for Economic Initiatives,  
10 University of Guam concluded that in the SAIS, the estimated  
11 direct and indirect impact on additional tax revenue collections  
12 to the government of Guam are overstated by forty-one percent  
13 (41%) to one hundred nineteen percent (119%).

14 (d) The Pacific Center for Economic Initiatives,  
15 University of Guam concluded that an analysis of the direct  
16 and indirect cost to the government of Guam should be  
17 performed and compared with a revised analysis of the  
18 additional tax revenues resulting from the military buildup.  
19 An accurate presentation of all benefits and costs or net effect  
20 will allow a determination of whether the proposed military  
21 buildup presents a long-term financial burden or benefit to the  
22 taxpayers of Guam;

1           **Finding No. 9:** The impact on medical facilities and the  
2 health of the current population will be sharpened by the dramatic  
3 population increase.

4           Increasing access to healthcare as the population booms is  
5 critical, especially as Guam's people struggle with increasing costs  
6 and federal restrictions on accessing U.S.-accredited quality care in  
7 the Philippines. The federal government must allow the  
8 reimbursement of all Medicare and Medicaid costs incurred by U.S.-  
9 accredited health institutions in the Republic of the Philippines for  
10 services rendered to Guam patients who will receive care there.

11           **Finding No. 10:** The DEIS states that approximately eight  
12 thousand six hundred (8,600) Marines will be relocated to Guam,  
13 vastly increasing the island's Veteran population. This substantial  
14 growth will be met with an increasing need to provide services to  
15 Veterans. Currently, *not* all services under the Veterans Benefits  
16 Administration are processed on-island.

17           According to the U.S. Department of Veterans Affairs, the  
18 Veterans Benefits Administration exists to provide benefits and  
19 services to Veterans and their families in a responsive, timely and  
20 compassionate manner in recognition of their service to the Nation.  
21 Its vision is that the Veterans served will feel that our nation has kept  
22 its commitment to them.

1           The Veterans of Guam already are underserved by the absence  
2 of a federal claims and benefits processing office on the island. With  
3 this increasing population, Guam now more than ever needs an  
4 increase in on-island services to Veterans. The U.S. Department of  
5 Veterans Affairs must open an office in Guam offering full services to  
6 Veterans living in Guam.

7           **Finding No. 11:** Volume 9 of the DEIS says the economic boom  
8 brought by the military buildup will be followed by a recession. It is  
9 important to mitigate any negative economic period to ensure  
10 sustained prosperity by giving Guam new and necessary regulatory  
11 control over its resources.

12           Guam must have control over the means by which it can gain  
13 financial independence and economic sustainability. For centuries  
14 the people of Guam controlled and thrived from the marine resources  
15 surrounding our shores. The federal government must grant Guam  
16 control over scientific research, management, exploration and  
17 exploitation of all ocean resources within Guam's Exclusive Economic  
18 Zone, to include the levy and collection of all tax revenues derived  
19 from private enterprise profiting from the marine resources within  
20 Guam Exclusive Economic Zone, and to mandate and fund U.S. Coast  
21 Guard patrol and enforcement of U.S. maritime law within the  
22 Exclusive Economic Zone; and

23           **WHEREAS**, at a meeting of February 1, 2010 with members of *I*

1 *Liheslaturan Guåhan*, Congresswoman Bordallo solicited *I Liheslaturan*  
2 *Guåhan's* position on approaching this massive military buildup, and  
3 further committed to representing such position; now, therefore, be it

4 **RESOLVED**, that *I Liheslatura Guåhan*, collectively and as individuals  
5 sworn to represent Guam, affirms its pledge for all generations, today and  
6 tomorrow (*para todu I hinirason pãgo yan todu I tempo*): '*Ginen I mäs takhelo'*  
7 *gi hinasso-ku, I mäs takhalom gi kurason-hu, Yan I mäs figo' na nina'siña-hu, hu*  
8 *ufresen maisa yu' para bai hu prutehi yan hu difende I hinengge, I kottura, I*  
9 *lengguahi, I aire, I hanom yan I tano' Chamoru ni irensiã-ku direchu ginen as*  
10 *Yu'os Tãta este hu afitma gi hilo' I bïplia yan I banderã-hu, I Banderan*  
11 *Guåhan*,(From the very essence of my intellect, the deepest within my heart,  
12 and every fiber of my physical strength, I make this self-fulfilling promise  
13 to protect and to defend, the beliefs, the culture, the language, the air, the  
14 water, and the land of the *Chamoru* people which are our inherent God-  
15 given rights, This I will Affirm on the Holy Bible and our banner, the  
16 Guam Flag); and be it further

17 **RESOLVED**, that *I Mina'Trenta Na Liheslaturan Guåhan*, on behalf of  
18 the people of Guam, does hereby present these sentiments to President  
19 Barack Obama and the Congress of the United States concerning the "Draft  
20 Environmental Impact Statement/Overseas Environmental Impact  
21 Statement on the Guam and CNMI Military Relocation"; and be it further

22 **RESOLVED**, that *I Mina'Trenta Na Liheslaturan Guåhan*, on behalf of  
23 the people of Guam, does hereby assert that these flaws warrant both

1 executive and congressional intervention mandating that DoD provide the  
2 people of Guam with a revised DEIS, providing for a time period to review  
3 and respond to the revised DEIS; responses to which, DoD must address  
4 before a Final EIS is released; and be it further

5 **RESOLVED**, that *I Mina'Trenta Na Liheslaturan Guåhan*, on behalf of  
6 the people of Guam, does hereby affirm the six (6) essential elements of  
7 compliance that warrant favorable resolution in planning for the buildup:  
8 land; dredging; physical and mental healthcare; sociocultural impacts of  
9 the buildup; infrastructure upgrades; and pollution control, which without  
10 resolution this buildup will be held in abeyance and NO ACTION be taken;  
11 and be it further

12 **RESOLVED**, that *I Mina'Trenta Na Liheslaturan Guåhan*, on behalf of  
13 the people of Guam, does hereby present, for a second time, Guam's  
14 "Agenda of Priority Concerns" to President Barack Obama and the  
15 Congress of the United States to further emphasize that the resolution of  
16 many pending federal-territorial matters must be a key component in the  
17 military buildup process; and be it further

18 **RESOLVED**, that *I Mina'Trenta Na Liheslaturan Guåhan*, on behalf of  
19 the people of Guam, does hereby assert additional findings on actionable  
20 items relative to the DEIS process, referenced herein as "Finding Numbers  
21 One (1) through Eleven (11)"; and be it further

22 **RESOLVED**, that *I Mina'Trenta Na Liheslaturan Guåhan*, on behalf of  
23 the people of Guam, does hereby request that during President Barack

1 Obama’s visit to Guam, planned for March 19, 2010, that he address our  
2 community in a “town hall” style meeting; and be it further

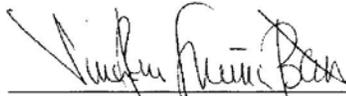
3 **RESOLVED**, that the Speaker certify, and the Legislative Secretary  
4 attest to, the adoption hereof, and that copies of the same be thereafter  
5 transmitted to Barack Obama, President of the United States; His  
6 Excellency, Dr. Yukio Hatoyama, Prime Minister of Japan; to the  
7 Honorable Nancy Pelosi, Speaker of the U.S. House of Representatives; to  
8 the Honorable Robert C. Byrd, President Pro Tempore of the U.S. Senate; to  
9 the Honorable Harry Reid, Majority Leader of the U.S. Senate; to the  
10 Honorable Ike Skelton, Chairman, House Armed Services Committee; to  
11 the Honorable Carl Levin, Chairman, Senate Armed Services Committee; to  
12 the Honorable Madeleine Z. Bordallo, Guam Delegate to the U.S. House of  
13 Representatives; to the Honorable Gregorio Sablan, CNMI Delegate to the  
14 House of Representatives; to the Honorable Donna M. Christensen, U.S.  
15 Virgin Islands Delegate to the U.S. House of Representatives; to the  
16 Honorable Eni F.H. Faleomavaega, American Samoa Delegate to the U.S.  
17 House of Representatives; to the Honorable Pedro Pierluisi, Puerto Rico  
18 Delegate to the U.S. House of Representatives; to the Honorable Benigno R.  
19 Fitial, Governor of the Commonwealth of the Northern Mariana Islands; to  
20 the Honorable Robert Gates, Secretary of Defense; to the Honorable Ken  
21 Salazar, Secretary of the Interior; to the Honorable Lisa P. Jackson,  
22 Administrator, United States Environmental Protection Agency; to the  
23 Honorable Ray Mabus, Secretary of the Navy; to the Honorable Roger

1 Natsuhara, Assistant Secretary of the Navy for Installations and  
2 Environment; to the Honorable Anthony Babauta, Assistant Secretary of  
3 the Interior for Insular Affairs; to the Honorable Jared Blumenfeld,  
4 Administrator, USEPA Region 9; to the Honorable Nancy Sutley,  
5 Chairperson, Council on Environmental Quality (NEPA); to the Honorable  
6 Ban Ki-moon, Secretary-General of the United Nations, and to the  
7 Honorable Felix P. Camacho, *I Maga'lahaen Guåhan*.

*DULY AND REGULARLY ADOPTED BY I MINA'TRENTA NA  
LIHESLATURAN GUÅHAN ON THE 11<sup>TH</sup> DAY OF FEBRUARY, 2010.*



JUDITH T. WON PAT, Ed.D.  
Speaker



TINA ROSE MUÑA BARNES  
Legislative Secretary

February 5, 2010

JGPO c/o NAVFAC Pacific  
258 Makalapa Drive, Suite 100  
Pearl Harbor, HI 96860-3134  
Attention: GPMO

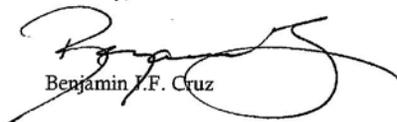
**Re: Volume 9 – Appendix F – Socioeconomic Impact Assessment Study – Little to no input on the Guam Customs and Quarantine Agency**

**3.4.3 Public Safety....; AND 3.4.4 Agencies Affected by Population Growth** The agencies discussed in this section were selected because they will likely be impacted by increases in service population or an increase in H 2B construction workers.; **AND 4.4.4 Public Safety Service Impacts...4.4.4.1 Introductory Statements...** Analysis was performed on impact on the following: GovGuam public safety agencies: Guam Police Department (GPD), Guam Fire Department (GFD); Guam Department of Corrections (GDoC); Guam Department of Youth Affairs (GDYA).

**Comment:**

**K-061-001** No where does the SIAS mention anything about the Guam Customs and Quarantine Agency. GCQA is the local frontline in protecting Guam's ocean borders and safeguarding the public from instruments of terror. Given the magnitude of activity under your proposed actions and their related traffic of persons and military hardware into the island, it would have been prudent to have included in your analysis the island's capacity to inspect cargo at our sea- and air-ports. Further analysis is needed on the environmental impacts of the buildup as they relate customs and quarantine issues. Guam Customs officers work to protect the island against invasive species. The arrival of the Guam Brown Tree Snake is a textbook example of how the shipment of military cargo has been a detriment to environments. How does your DEIS propose to mitigate the possibility of local customs agents being overwhelmed by the increase of port traffic as a result of direct and indirect factors (i.e. population increase, shipment of supplies and materials, etc.) related to your proposed actions? Be reminded that as an island community we are almost completely reliant on the importation of goods.

Sincerely,



Benjamin J.F. Cruz

**K-061-001**

Thank you for your comment. In addition to continuing to implement existing standard operating procedures and DoD requirements covering the inspection and transport of material and personnel from Guam to other locations, the Navy is also funding and coordinating the preparation of a Micronesian Biosecurity Plan. This plan will address all aspects of the potential for the transport of the brown treesnake, and all potential non-native invasive species, to other Pacific Islands and from other locations to Guam due to the military activities originating on Guam.

February 5, 2010

JGPO c/o NAVFAC Pacific  
258 Makalapa Drive, Suite 100  
Pearl Harbor, HI 96860-3134  
Attention: GPMO

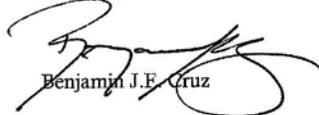
**K-062-001** Re: **Volume 9 – Appendix F – Socioeconomic Impact Assessment Study – Housing Demand**

Figure ES-2. Housing Demand with and without Aggregate Actions (Unconstrained)

**Comment:**

More should be included in the SIAS describing the Housing Supply Baseline of this figure. More analysis should be given to housing because both extremes of housing, supply or deficit, may be detrimental to the island's housing market. Guam has a sizable number of residents who rent out secondary homes to supplement their income. If there is an oversupply of homes these people may be adversely impacted by declining rental income. On the other hand the undersupply of housing will out price the most vulnerable segments of our community, including minimum wage owners and retirees on fixed incomes.

Sincerely,



Benjamin J.F. Cruz

**K-062-001**

Thank you for your comment. The Draft EIS anticipates that military housing would be built within the main cantonment area. It is anticipated that the majority of Marine families would rent units in the military housing and generally would not compete with Guam residents for available housing units. After the construction period, housing and rental prices could decline because the construction labor force (not including the H2B who will live in dormitory type quarters) would leave Guam. Civilian military workers may vie for Guam housing; however, residential housing needed for these long-term workers would likely be about 3,200 units (maximal) by 2020 (Socioeconomic Impact Assessment Study [SIAS], Table ES-3, page v).

February 6, 2010,

Joint Guam Program Office  
c/o NAVFAC Pacific,  
258 Makalapa Drive Suite 100,  
Pearl Harbor, HI 96860-3134,  
Attention: GPMO

K-063-001 Re: Housing, Volume 7, Page 3-58

*Supply*

Guam has excess vacant available housing (about 2,800 units) to absorb the estimated housing demand. This housing is likely to accommodate private-sector housing demands in 2010. However, the excess capacity is projected to be less than demand in 2011; therefore, new private-market housing supply must be available in 2011, and new housing would have to be built through 2014. Once the construction period is past its peak in 2015, and if this new housing is provided, the need for new housing construction would diminish to zero, and excess capacity would grow to approximately 8,688. These estimates are shown in Table 3.3-42.

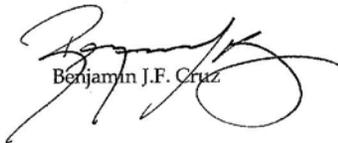
**Comment:** Numerous problems will occur in providing civilian housing for the expected population increase. Guam's environment will be degraded by construction and then by the ill-maintained structures (3-59) no longer needed once the peak has ended just five years from now. As Guam relies on its environment for its base industry, tourism, the island can expect long-term losses in this area.

Guam's real estate market will experience marked instability from the onset. Housing will become less affordable for prospective resident home buyers, rates driven up by both a shortage in housing supply and the generous housing allowances afforded military personnel. Once the peak is over and excess capacity grows to an estimated 8,688 units, developers will experience a loss in their investments and housing prices will be driven down.

Lower housing prices after the peak do not necessarily mean a benefit for residents. The lower rates will have come at the cost of Guam's environment, tourism industry, and quality of life. Long term, the housing and real estate market will be adversely affected and though housing rates will have been reduced for an excess supply, they will be further reduced by the poor market conditions on Guam as a whole.

Since residents who do not now own a home will be displaced by the military buildup, and since when housing prices drop there will not be a home worth returning to, I determine there to be an immitigable impact to Guam and recommend no action.

Sincerely,



Benjamin J.F. Cruz

K-063-001

Thank you for your comment. The Draft EIS anticipates that military housing would be built within the main cantonment area. It is anticipated that the majority of Marine families would rent units in the military housing and generally would not compete with Guam residents for available housing units. After the construction period, housing and rental prices could decline because the construction labor force (not including the H2B who will live in dormitory type quarters) would leave Guam. Civilian military workers may vie for Guam housing; however, residential housing needed for these long-term workers would likely be about 3,200 units (maximal) by 2020 (Socioeconomic Impact Assessment Study [SIAS], Table ES-3, page v).

February 8, 2010

JGPO,  
c/o NAVFAC Pacific,  
258 Makalapa Drive Suite 100,  
Pearl Harbor, HI 96860-3134,  
Attention: GPMO

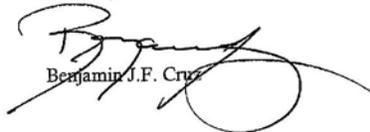
**K-064-001** | **Re: Volume 9: Appendix F – Socioeconomic Impact Assessment Study – Chapter 2. Approach to Analysis**

During this time SIAS consultants and Office of Economic Adjustment (OEA) representatives also met with the GovGuam's Chief of Staff in order to establish appropriate protocol for interaction with GovGuam agencies when in the field.

**Comment:**

How does DoD requiring a non-disclosure agreement with Government of Guam, essentially withholding buildup information from local lawmakers, establish an appropriate protocol for interaction for interaction with GovGuam agencies when in the field? The exercise of such constraint on the part of local officials runs contrary to Guam's open government laws and the transparency of the whole DEIS process.

Sincerely,



Benjamin J.F. Cruz

**K-064-001**

Thank you for your comment. The DoD has kept the public informed as required by NEPA, which includes holding public scoping meetings and public hearings and allowing the public to comment on the DEIS. DoD has had ongoing discussions with Cooperating Agencies (those federal and local agencies with special expertise or regulatory oversight) throughout the preparation of the DEIS and will continue these discussions with agencies through the completion of the FEIS. As part of the engagement with Cooperating Agencies, they were asked to conduct an early technical review of the partially completed DEIS in late July 2009. The DoD has also met extensively with elected officials and other community stakeholders on the progress of the EIS and notional/preliminary relocation plans.



February 8, 2010

JGPO,  
c/o NAVFAC Pacific,  
258 Makalapa Drive Suite 100,  
Pearl Harbor, HI 96860-3134,  
Attention: GPMO

K-065-001 Re: Volume 9: Appendix F – Socioeconomic Impact Assessment Study – Chapter 2. Approach to Analysis

#### 2.2.1 Economic Model

For economic impacts, standardized economic impact models and techniques were used for both construction and operational phases. To calculate the indirect impacts of spending, the 2005 State of HI Input-Output (I-O) model was used to estimate how many jobs and other economic variables are created as initial new spending and later rounds of spending flow through the Guam economy. Since there is no specific updated economic model for Guam, HI models are used to represent Guam's similar island-based economy. The HI I-O was recently used in the Economic Contribution Study for A.B. Won Pat International Airport (Jacobs Consultancy 2007). Other Guam economic impact studies that used HI models include the Socio-Economic Impact Assessment of New U.S. Navy Activities on Guam (U.S. Navy Pacific Division Naval Facilities Engineering Command 1993), the Kilo Wharf Extension EIS/OEIS (U.S. Navy Pacific Division Naval Facilities Engineering Command 2007), the Economic Impact of Navy Base Closures and Outsourcing on Guam (Earth Tech 1999) and the Revised Guam Tourism Impact, Preliminary Results (Global Insight 2007). HI multipliers may be slightly higher than would be expected for Guam because leakages on Guam's economy are likely greater due to a relatively higher amount of imported products.

**Comment:** A recent paper by University of Guam Economist Maria Ruane, *Macroeconomic Multipliers: The Case of Guam*, provides a list of data needed to estimate a Guam Multiplier on page 7 of the paper. DoD is in a better position to research and provide much of the needed information. The specific items include: the percent of local population with access to military bases-not available; the percent of local population that actually shops at non-local sources and amount spent at each non-local source-not available but could conduct survey; and the price differential between each non-local source and local sellers-not. The limitations of using Hawaii models, and in particular a Hawaii spending multiplier, are well-represented in this paper. Any over- or under-estimation of your actions economic impact, by using a Hawaii proxy, would be contrary to the whole purposes of SIAS and may result far-reaching impacts that cannot be mitigated.

Sincerely,

Benjamin J.F. Cruz

K-065-001

Thank you for your comment. The Hawaii economic model was utilized because there is no Guam economic model. Careful and diligent effort was undertaken to ensure that the results of the economic impact analysis reflected the unique circumstances of the Guam economy. Also, please note that the Socioeconomic Impact Assessment Study (Appendix F in Volume 9 of the EIS) produces both an unconstrained and a constrained analysis; while both analysis were customized to represent Guam, the constrained analysis used multipliers that were reduced greatly from standard Hawaii multipliers and lower than any typical modern multiplier.



February 8, 2010

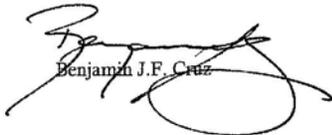
JGPO,  
c/o NAVFAC Pacific,  
258 Makalapa Drive Suite 100,  
Pearl Harbor, HI 96860-3134,  
Attention: GPMO

**K-066-001** Re: Volume 9: Appendix F – Socioeconomic Impact Assessment Study – Deriving Numbers of Permits from Proposed Action – Commercial Square Footage

**Table 2.3-1. Drivers for Deriving Numbers of Permits from Proposed Action  
(Unconstrained)**

**Comment:** More could have been presented to explain your commercial footage needs on Table 2.3-1. There are a number of items/issues that should be clarified. For instance, how did you arrive at the need of 166 square feet per employee? How was the availability of 200,000 square feet determined? Based on your own numbers, your need of 3.1 million square feet in 2014 is 16 times the amount available. If this is so, there should be a clear plan on how to mitigate this shock to the local commercial real estate market. Such a shock will obviously inflate the cost commercial leasing on Guam, understating your action's impact and adversely affecting existing commercial leaseholders.

Sincerely,



Benjamin J.F. Cruz

**K-066-001**

Thank you for your comment. Please see Section 2.3.2 of the Socioeconomic Impact Assessment Study (Appendix F of the EIS) for information on permitting analysis methodology.

February 8, 2010

JGPO c/o NAVFAC Pacific  
258 Makalapa Drive, Suite 100  
Pearl Harbor, HI 96860-3134  
Attention: GPMO

Re: **Volume 9 Appendix F Table 4.4-4, 5, 6.**  
**Volume 2 Table 16.2-35**  
**Impact on Student Population**

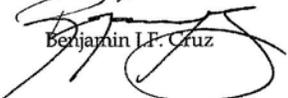
K-067-001

**Volume 9 Appendix F Table 4.4-4, 5, 6.**  
**Volume 2 Table 16.2-35**

**Comment:** Both volumes address the projected increase in the service population of Guam DOE schools. The numbers appear to vary significantly. It is unclear how the data in each volume was arrived at. Planning for school infrastructure expansion would be a nightmare if GovGuam had to rely on conflicting data. While I would lean toward the higher figure, the final EIS must provide accurate data. The increase in student population would affect not only new school construction. It would be the determining factor in the numbers of new teachers, school administrators, counselors and support staff that would be needed.

Sincerely,

Benjamin J.F. Cruz



**K-067-001**

Thank you for your comments. The difference in the discussion on socioeconomic impacts are based on the organization of the DEIS. Volume 2 identifies the impacts of the actions proposed by the Marines being relocated to Guam. So the socioeconomic impact chapter in that Volume (2) is focused on impacts anticipated by the Marine component of the action. Volume 3 relates to the firing ranges proposed on Tinian; Volume 4 relates to the Navy actions proposed for the Carrier Vessel Nuclear (CVN) at Apra Harbor; Volume 5 relates to the Army's Ballistic Missile Defense (BMD) actions, and so forth. The DEIS organization is explained in the Reader's Guide section in Volume 1 of the DEIS. The Socioeconomic Impact Assessment Study (SIAS), Appendix F of Volume 9, looks at the overall actions on Guam, and then on Tinian.

As the SIAS explains, two scenarios, the unconstrained (maximal) and constrained were reviewed, and the maximal scenario was used in the DEIS analyses. It should also be noted that the staffing for various Guam agencies was based on the existing staffing levels that presently exists; that is, if there is one fire fighter for 5,000 people (example only), then the same ratio was used for the estimated population increase. However, it was noted that Guam agencies had staffing levels which were strained and, in some cases, provided a minimum level of desired services to the beneficiaries.

February 8, 2010

JGPO c/o NAVFAC Pacific  
258 Makalapa Drive, Suite 100  
Pearl Harbor, HI 96860-3134  
Attention: GPMO

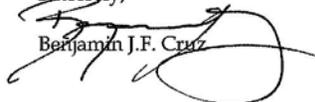
**K-068-001** Re: Volume 2 Table 16.2-37. Higher Education Student Population Impacts Summary

Peak Year Additional Service Population for GCC = 455

**Comment:** The impact on GCC is understated as it does not take into account the increase in enrollment from Guam's existing population who will seek to enhance their skills for employment in buildup related industries. While GCC may be able to accommodate these students, its facilities can not handle an additional 455 students.

**Recommendation:** Plans must be put in place for an immediate expansion of GCC facilities. Funding for such an expansion is a critical issue. The Department of Defense must commit to fully funding new facilities for GCC.

Sincerely,



Benjamin J.F. Cruz

**K-068-001**

Thank you for your comment. As documented in this EIS, DoD acknowledges the existing sub-standard conditions of key public infrastructure systems and social services on Guam and the interest to have DoD fund improvements to these systems and services. DoD's ability to fund actions is limited by federal law. However, to minimize adverse impacts associated with the proposed military relocation program, DoD is leading a federal inter-agency effort to identify other federal programs and funding sources that could benefit the people of Guam.

February 8, 2010

JGPO c/o NAVFAC Pacific  
258 Makalapa Drive, Suite 100  
Pearl Harbor, HI 96860-3134  
Attention: GPMS

K-069-001 Re: Volume 2, Table 16.2-35. GPSS Student Population Impacts Summary

Peak Year Additional Service Population for GPSS(GDOE) Total is 6,268.

**Comment:** Guam DOE is currently short four schools to serve the existing population. Many of the schools are overpopulated. These schools have not been built due to GovGuam's financial condition. The number of schools needed to service the buildup related increased student population is an additional six. The estimated cost of construction and equipment for these six schools is \$270 Million, funds that GovGuam does not and will not have.

**Recommendation:** The Department of Defense must immediately provide funding for the construction of the schools needed to address the impact of the buildup. Project planning must begin soon in order for these schools to be built on time.

Sincerely,

  
Benjamin J.F. Cruz

K-069-001

Thank you for your comment. As documented in this EIS, DoD acknowledges the existing sub-standard conditions of key public infrastructure systems and social services on Guam and the interest to have DoD fund improvements to these systems and services. DoD's ability to fund actions is limited by federal law. However, to minimize adverse impacts associated with the proposed military relocation program, DoD is leading a federal inter-agency effort to identify other federal programs and funding sources that could benefit the people of Guam.

February 8, 2010

JGPO c/o NAVFAC Pacific  
258 Makalapa Drive, Suite 100  
Pearl Harbor, HI 96860-3134  
Attention: GPMO

**K-070-001** Re: **Volume 2 Chapter 16.2.2.3 GPSS Administrative Staffing**

Other staff positions in GPSS represent an important aspect not included in the analysis above. Examples of these positions include: principals and assistants, administrators, health counselors, cafeteria, custodial/maintenance, and school aides.

**Comment:** Almost all of the DOE(GPSS) principals and assistants, administrators, and health counselors were at one time teachers. It is a safe assumption that many current teachers will seek certification in order to assume these higher paying positions. This will further exacerbate the teacher shortage DOE will experience as a result of the buildup.

Sincerely,

  
Benjamin J.F. Cruz

**K-070-001**

Thank you for your comment. This information has been noted and changes, as appropriate, were provided in the FEIS.

February 8, 2010

JGPO c/o NAVFAC Pacific  
258 Makalapa Drive, Suite 100  
Pearl Harbor, HI 96860-3134  
Attention: GPMO

**K-071-001** Re: **Volume 2 Chapter 16.2.2.3 Public Service Impacts- Education**

GPSS's ability to meet the demand for new GPSS teachers depends on Guam's teacher supply. Administrators believe that the expansion of the DDESS system to meet the increasing educational needs of Guam's military population might siphon off GPSS teachers.

**Comment:** This is precisely what occurred upon the establishment of DoD schools on Guam. Salaries, benefits and environment were more attractive and many Guam DOE teachers resigned from DOE to take up positions at the DoD schools. There is no reason to believe that a similar exodus will not take place. DOE has never, in my memory, had a sufficient number of teachers to meet its needs; this, despite an excellent teacher training scholarship program at the University of Guam. Guam's teacher shortage will clearly be exacerbated by the population increase caused by the buildup. None of the mitigation measures outlined in this chapter adequately addresses this problem.

Sincerely,



Benjamin J.F. Cruz

### K-071-001

Thank you for your comment. The impacts on the Guam public school system are discussed in subsection 4.4.2, page 4-42 of the Socioeconomic Impact Assessment Study (SIAS). Table 4.4-4 in the SIAS provides the potential increase (maximal) of student population in the Guam Public School System from 2010 to 2020. Providing a brief summary, at the peak population year (2014), a total of 7,937 students could attend the public school system; by 2017, when the operational (long-term) conditions occur, the students generated could be 909. This is based on the direct and indirect (induced) populations resulting from the military relocation. The military dependents would be educated in the DoD school system and should not affect the public school system. Money generated through taxes from the increased population and federal payments to schools (based on student populations) should provide revenue to fund resources for the public schools.

As documented in this EIS, DoD acknowledges the existing sub-standard conditions of many social services on Guam and the interest to have DoD fund improvements to these services. DoD's ability to fund actions is limited by Federal law. However, to minimize adverse impacts associated with the proposed military relocation program, DoD is leading a federal inter-agency effort to identify other Federal programs and funding sources that could benefit the people of Guam. In addition, mitigation discussions acknowledge the need for support of professional staff recruitment.



February 9, 2010

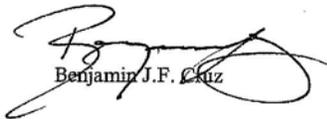
JGPO c/o NAVFAC Pacific  
258 Makalapa Drive, Suite 100  
Pearl Harbor, HI 96860-3134  
Attention: GPMP

K-072-001 | Re: **Volume 9 Appendix F Socioeconomic Impact Assessment Statement – Over supply of housing during steady state**

Table 4.3-23. Demand and Supply Needed for New Civilian Housing Units (Unconstrained)  
Table 4.3-24. Demand and Supply Needed for New Civilian Housing Units (Constrained)

**Comment:** These tables clearly illustrate the potential impact of housing oversupply. More analysis and proposed mitigation should be presented to address any adverse impact of on the sizable number of Guam residents who rely on rental income. After the construction phase when the bulk of workers leave, neighborhoods could be littered with “For Rent” signs.

Sincerely,



Benjamin J.F. Cruz

**K-072-001**

Thank you for your comment. Public comments on the DEIS are an important part of the decision-making process. This information becomes part of the FEIS, and is evaluated when DoD prepares the FEIS and issues a Record of Decision at the end of the NEPA process.

Your recommended mitigation measure has been taken under consideration. Expanded mitigation discussion is available in the FEIS.

February 9, 2010

JGPO c/o NAVFAC Pacific  
258 Makalapa Drive, Suite 100  
Pearl Harbor, HI 96860-3134  
Attention: GPMO

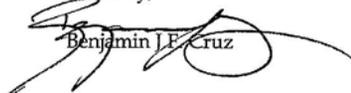
**K-073-001** | **Re: Volume 9 Chapter 4.4.2 Public Education Service Impacts**

There remain concerns that, as institutes of higher and technical education, GCC and UoG would be unable to train the local workforce needed to meet the needs of the proposed action.

**Comment:** The president of UOG has made it clear that the university would not be able to provide the education and training necessary for the workforce needed to meet the needs of the buildup. A good example of this is the 1,000+ teachers that would be needed between now and 2014. UOG graduated seventy-four students in 2009 with undergraduate education degrees. This graduation rate is insufficient to meet current needs. The Guam public school system faces a shortage of teachers every school year.

Most of the GovGuam service agencies lack the personnel needed for the buildup and UOG does not have the capacity to provide training and education to prospective local workers.

Sincerely,



Benjamin J.F. Cruz

### K-073-001

Thank you for your comment. The impacts on the Guam public school system are discussed in subsection 4.4.2, page 4-42 of the Socioeconomic Impact Assessment Study (SIAS). Table 4.4-4 in the SIAS provides the potential increase (maximal) of student population in the Guam Public School System from 2010 to 2020. Providing a brief summary, at the peak population year (2014), a total of 7,937 students could attend the public school system; by 2017, when the operational (long-term) conditions occur, the students generated could be 909. This is based on the direct and indirect (induced) populations resulting from the military relocation. The military dependents would be educated in the DoD school system and should not affect the public school system. Money generated through taxes from the increased population and federal payments to schools (based on student populations) should provide revenue to fund resources for the public schools.

February 9, 2010

JGPO c/o NAVFAC Pacific  
258 Makalapa Drive, Suite 100  
Pearl Harbor, HI 96860-3134  
Attention: GPMP

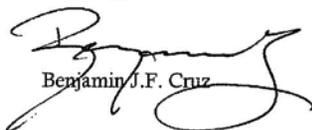
K-074-001

**Re: Volume 9 Appendix F Socioeconomic Impact Assessment Statement, Page 4-4  
Unconstrained Analysis – Unemployment of Inbound Migrants**

The GCA estimates there may be as many as 5,000 potential workers from the FAS and CNMI combined (roughly consistent with the total construction employment figures above). However, it is unlikely that all the FAS construction workers would move to Guam, and many untrained workers could come in hopes of construction jobs. The GCA has warned that, without sufficient training, many from the FAS could arrive, not find employment, and “become a strain on the Guam economy and local society” (GCA 2008b).

**Comment:** More analysis should be given into the impact of inbound migrants from all areas seeking buildup related employment, yet not realizing employment. This is one aspect of your proposed actions that has been given very little attention. If the overall cost of living rises in relation to buildup activities, a sizable increase in the number of unemployed could result in the additional burden on social services. DoD could play a role in mitigating this by coordinating with other federal entities to ensure GovGuam receives increases in Compact Impact funds or other sources of federal funding.

Sincerely,



Benjamin J.F. Cruz

**K-074-001**

Thank you for your comment. Micronesians can migrate to Guam without restrictions and may choose to do so because jobs will be created on Guam. This is a trend that would likely continue. Workers from the Philippines, and other countries in the region, if they are qualified and eligible H2B workers, may also come to Guam under the conditions of their work agreement. H2B visas are granted only after exhausting the local labor market. The SIAS has included the qualified construction work force on Guam that would likely fill a few thousand jobs. However, on-island residents can only fill a relatively small percentage of the construction labor force needed for the military buildup.

Your recommended mitigation measure has been taken under consideration. Expanded mitigation discussion is available in the FEIS.

February 9, 2010

JGPO c/o NAVFAC Pacific  
258 Makalapa Drive, Suite 100  
Pearl Harbor, HI 96860-3134  
Attention: GPMO

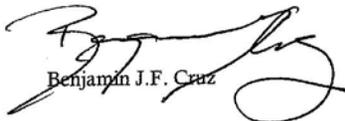
K-075-001 Re: **Volume 9 Appendix F Socioeconomic Impact Assessment Statement**  
**2.3.4 Additional GovGuam Studies**

**2.3.4 Additional GovGuam Studies**

The GovGuam has assembled several studies (e.g., Guam Civilian Military Task Force 2007) that attempt a more complete accounting of anticipated needs. However, these studies were based on uneven input from various departments, and confound pre-existing public service requirements with requirements that would be generated by the proposed action. By contrast, the current SIAS approach is more limited in its focus, but is based on a fairly standardized survey methodology of designated agencies (Appendix C).

**Comment:** "Uneven input from various departments" does not always diminish the value of locally obtained information that clearly should have been incorporated in your study. Even the Government Accountability Office noted in its November 13, 2009 report of the apparent lack of timely sharing of information by the Department of Defense with local officials. The DEIS acknowledges limited availability of data throughout its study, yet it almost completely ignores the detailed needs statements that were submitted along with a \$237.8 million budget request from various federal agencies for Fiscal Year 2010 for support of the buildup.

Sincerely,



Benjamin J.F. Cruz

**K-075-001**

Thank you for your comment. The Socioeconomic Impact Assessment Study (SIAS) and the Draft EIS are documents that have identified the probable impacts of the proposed action and alternatives based on the best available information. Existing data and information was gathered and supplemented with interviews with federal and Guam agencies. To provide the public and various governmental agencies with an opportunity to review and comment on the methodologies and assumptions used, the SIAS was included as Appendix F, Volume 9 of the Draft EIS. Comments provided on the Draft EIS will also be included to provide the decision-makers with the public views in support and/or opposition of the proposed action and alternatives.

February 9, 2010

JGPO c/o NAVFAC Pacific  
258 Makalapa Drive, Suite 100  
Pearl Harbor, HI 96860-3134  
Attention: GPMO

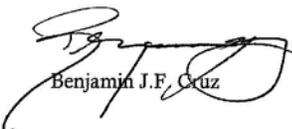
K-076-001 Re: **Volume 9 Appendix F Socioeconomic Impact Assessment Statement**  
3.3.3.1 Federal Expenditures in the Economy

**3.3.3.1 Federal Expenditures in the Economy**

While federal expenditures represent an important element for the Guam economy, the per-capita level of total federal expenditures as of FY 2007 was barely above the national average (Table 3.3-12). As of that FY, 21 states and the District of Columbia had higher per capita total federal expenditures than did Guam.

**Comment:** The scope and magnitude of DoD's proposed actions warrants a review of the existing levels of federal expenditures on Guam. DoD should, as the Government Accountability Office noted, assume more leadership and task its Committee on Economic Adjustment to meet and coordinate efforts with other federal entities to assist GovGuam in preparing the island for the buildup.

Sincerely,



Benjamin J.F. Cruz

**K-076-001**

Thank you for your comment. A Fiscal Impact Assessment Study is currently underway; the study is funded by DoD's Office of Economic Adjustment and will provide greater detail on financial issues than what is available in the EIS.

February 9, 2010

JGPO c/o NAVFAC Pacific  
258 Makalapa Drive, Suite 100  
Pearl Harbor, HI 96860-3134  
Attention: GPMP

K-077-001 | **Re: Volume 9 - Appendix F - Socioeconomic Impact Assessment Study – Page 4-37 –  
Tourism Workforce**

*Loss of Workforce and/or Wage Increases*

The possibility of wage increases or loss of labor to higher-paying jobs during the construction component is a highly likely outcome, as wages in the construction sector are larger than those in the tourism sector. As of June 2008, average weekly earnings for hotel/lodging employees were \$277.81 (and \$345.65 for all categories of service workers combined) versus \$538.44 for the overall construction sector (GDoL 2008).

**Comment:** This observation should be accompanied with an analysis of the impact of higher wages on the tourist sector and what affects should the industry succumb to as a result of higher room rates.

Sincerely,



Benjamin J.F. Cruz

**K-077-001**

Thank you for your comment. Public comments on the Draft EIS are an important part of the decision-making process. Comments received from the public allow DoD to make changes to the EIS before the document is finalized. This information becomes part of the Final EIS and is evaluated when DoD issues a Record of Decision at the end of the NEPA process.

February 10, 2010

JGPO c/o NAVFAC Pacific  
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Attention: GPMP

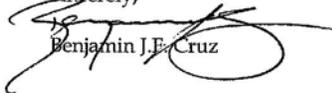
**K-078-001** | **Re: Volume 9 Table 4.4-1. Summary of Agency Survey Comments on Existing Facility and Staffing Challenges**

Hiring new employees is difficult primarily due to funding constraints, not the military buildup; however . . . . . four employees have left for private sector or federal work related to the military buildup.

**Comment:** UOG funding is an issue now and the military buildup most certainly will affect UOG's ability to attract new employees. Employees leaving government service for buildup related work is not peculiar to UOG. Other service agencies are similarly affected. The numbers will increase during the next few years. This will further exacerbate the problems that construction managers will experience with permitting agencies.

UOG is far behind where it needs to be to be able to provide adequate workforce training and education just to meet the current demands of the buildup. In order for UOG to have the full complement of employees necessary to meet GovGuam's workforce needs and serve the increased population due to the buildup, the federal government must commit to providing needed funding now.

Sincerely,



Benjamin J.F. Cruz

**K-078-001**

Thank you for your comment. As documented in this EIS, DoD acknowledges the existing sub-standard conditions of key public infrastructure systems and social services on Guam and the interest to have DoD fund improvements to these systems and services. DoD's ability to fund actions is limited by federal law. However, to minimize adverse impacts associated with the proposed military relocation program, DoD is leading a federal inter-agency effort to identify other federal programs and funding sources that could benefit the people of Guam.

February 10, 2010

JGPO c/o NAVFAC Pacific  
258 Makalapa Drive, Suite 100  
Pearl Harbor, HI 96860-3134  
Attention: GPMO

K-079-001 Re: Volume 9 Appendix C -UOG Capacity

**Volume 2 Chapter 16.2.2.3 Public Service Impacts- Education**

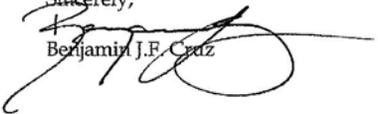
**Volume 2 quote**-UoG survey results (Appendix F SIAS) show that of 21 listed University facilities, all except one (the community lecture hall) are currently able to meet the needs of the student population, and a majority would be able to meet the needs of an expanded student population.

**Volume 9 quote**-Not facility-challenged with current enrollment, but 8% increase last fall and now almost at capacity. Now we'll have to determine how to squeeze more people into space, get faculty to teach more days and hours.

**Comment:** The statement quoted from Volume 9 was made almost exactly one year ago. UOG has not built any new facilities since. A cursory review of the DEIS documents could easily lead one to believe that UOG facilities can handle the buildup.

This illustration of the inconsistencies and conflicting statements that are prevalent throughout the DEIS is precisely why a new DEIS should be prepared and submitted to the people of Guam.

Sincerely,

  
Benjamin J.F. Cruz

**K-079-001**

Thank you for your comment. The SIAS and the DEIS are documents that have identified the probable impacts of the proposed action and alternatives based on the best available information. Existing data and information was gathered and supplemented with interviews with federal and Guam agencies. To provide the public and various governmental agencies with an opportunity to review and comment on the methodologies and assumptions used, the SIAS was included as Appendix F, Volume 9 of the DEIS. Comments provided on the DEIS will also be included to provide the decision-makers with the public views in support and/or opposition of the proposed action and alternatives.

The sections outlined in your comment have been reviewed and edits to the FEIS made as appropriate.

February 10, 2010

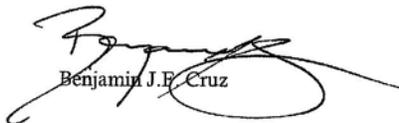
JGPO c/o NAVFAC Pacific  
258 Makalapa Drive, Suite 100  
Pearl Harbor, HI 96860-3134  
Attention: GPMO

K-080-001 | Re: Volume 9. Appendix F – Socioeconomic Impact Assessment Study – H2 Workers

**Table 4.3-35. Construction Component Assumptions for GIP (Unconstrained)**

**Comment:** Based on tables and information provided in the DEIS about the contributions that will be made by workers into Guam's Gross Island Product. It is assumed by DoD that 45 percent of local workers' incomes are spent locally while only 20 percent of H2 workers are spent locally (Table 4.3-35, SIAS). Based on the DoD's anticipated expenditures from 2010 through 2016, local workers are expected to infuse about \$471 million into Guam's economy, while H2 workers are anticipated to infuse about \$294.8 million. If \$294.8 million is 20 percent of about \$1.47 billion in H2 income, if they are not H2 workers they would spend 45 percent of their wages or \$663 million into Guam's economy. Thus, the decision to use H2 workers represents a loss of about \$368.5 million that would have otherwise contributed to Guam's GIP.

Sincerely,



Benjamin J.F. Cruz

**K-080-001**

Thank you for your comment. On-island residents would be hired if they are qualified for the positions during the construction and operations periods. Because the number of qualified on-island residents would likely be exhausted, especially in the anticipated years of construction (2010 through 2016), thousands of H2B visa foreign workers are anticipated. Specific hiring procedures, however, are not addressed in the EIS.

February 10, 2010

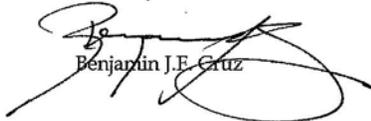
JGPO c/o NAVFAC Pacific  
258 Makalapa Drive, Suite 100  
Pearl Harbor, HI 96860-3134  
Attention: GPMO

**K-081-001** Re: **Volume 9 Chapter 3.5.5 Sociocultural Changes**

Community surveys capture the diversity of community sentiment toward the proposed action. A March 2007 survey by the Guam Chamber of Commerce found 71% of those polled support an increased military presence (Partido 2007). A subsequent survey conducted by the UoG Public Affairs and Legal Studies Club in 2008 found that 52% of those surveyed think that the proposed action is a good thing for Guam and 88% expect the buildup to bring jobs and other economic benefits to Guam. The Guam Chamber of Commerce then conducted a follow-up survey in early 2009 and again found about a 70% favorable response, with slightly higher support among less affluent households (Tamondong 2009).

**Comment:** These surveys were conducted before the release of the DEIS. The various impacts that the proposed action would have are certainly much clearer and more widely publicized now. The numbers of people who have publicly spoken against the proposed action or who have expressed concern over the impacts is much greater than before the release of the DEIS. Sociocultural changes are among the greatest cause for concern by residents. I submit that surveys conducted after the DEIS release will show a marked decrease in the proposed action's favorability. The cited surveys should be used as a basis for action on the buildup.

Sincerely,



Benjamin J.F. Cruz

**K-081-001**

Thank you for your comment. Public comments on the Draft EIS are an important part of the decision-making process. This information becomes part of the Final EIS and is evaluated when DoD prepares the Final EIS and issues a Record of Decision at the end of the National Environmental Policy Act (NEPA) process.



February 10, 2010

JGPO c/o NAVFAC Pacific  
258 Makalapa Drive, Suite 100  
Pearl Harbor, HI 96860-3134  
Attention: GPMO

K-082-001 Re: Volume 5. RELATIONSHIP BETWEEN SHORT-TERM USE OF THE ENVIRONMENT AND LONG-TERM PRODUCTIVITY T - Tourism, Page 5-9

5.14 SOCIOECONOMICS AND GENERAL SERVICES

5.14.1 Short-Term.

5.14.2 Long-Term Long-term operations are expected to positively impact the Guam economy; although there may be some adjustment issues related to the tourism industry and military-civilian relations.

**Comment:** The short-term and long-term implications for tourism are being grossly understated, if not omitted. Construction and related traffic may disrupt tour routes in the short-term. Over the long-term, the increased patronage of servicemen in the Tumon district and its effect tourist are unknown. Because the general character of the island (air, land, sea and people) is a tourist asset, more analysis needs to be presented. More material from the SIAS should also be included.

Sincerely,

Benjamin J.F. Cruz

**K-082-001**

Thank you for your comment. Public comments on the DEIS are an important part of the decision-making process. This information becomes part of the FEIS and is evaluated when DoD prepares the FEIS and issues a Record of Decision at the end of the NEPA process.

Please see Section 4.3.7 of the Socioeconomic Impact Assessment Study (Appendix F of the DEIS) for discussion of the expected impacts on Guam's Tourism industry.



February 10, 2010

JGPO c/o NAVFAC Pacific  
258 Makalapa Drive, Suite 100  
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Attention: GPMO

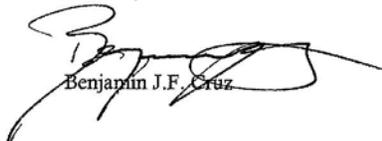
**K-083-001** Re: **Volume 5. RELATIONSHIP BETWEEN SHORT-TERM USE OF THE ENVIRONMENT AND LONG-TERM PRODUCTIVITY – Soil Resources, Page 5-1**

**5.1 GEOLOGICAL AND SOIL RESOURCES 5.1.1 Short-Term** Short-term use of geological and soil resources would include temporary increases in localized erosion during the construction process.

**5.1.2 Long-Term** Agriculturally productive soils would not be lost and the long-term productivity of these soils would be preserved. Topographic or landscape features would not be substantially changed by proposed construction activities. Areas containing karst geologic features such as Guam's unique karst caves and sinkholes would be avoided and preserved.

**Comment:** Agriculturally productive soils will be useless over the long-term if no one outside the fence is given access to cultivate them. DoD should do an inventory of its target land acquisitions to determine what areas are ideal for agriculture. The loss of what is already limited cultivatable land on Guam will mean an adverse affect on the local population through their greater reliance on imported produce.

Sincerely,



Benjamin J.F. Cruz

**K-083-001**

Thank you for your comment. For impacts to soil and geology, characteristics of soil, geography, topography and hazards were analyzed. The availability of land for agricultural purposes is analyzed in Chapter 8 Land and Submerged Land Use.

Your comments are correct in noting that the use of those lands for military purposes would limit their value as agriculturally productive lands. However, it should also be recognized that most of the lands under consideration are not being used for agriculture. The FEIS has been revised to include additional information of the lands being considered for acquisition.

K-084-001

Thank you for your comment.

February 11, 2010

JGPO c/o NAVFAC Pacific  
258 Makalapa Drive, Suite 100  
Pearl Harbor, HI 96860-3134  
Attention: GPMP

K-084-001 Re: Volume 4 Chapter 4 Water Resources

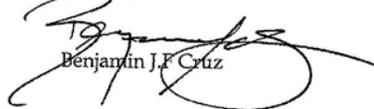
**Habitat Equivalency Analysis (HEA)**

The USACE has regulatory authority; compensatory mitigation would be developed during permitting and appropriate units for quantifying credits and debits would be determined by district engineers on a case-by-case basis. District engineers are encouraged to use science-based assessment methods for determining aquatic habitat condition, such as the index of biological integrity, where practicable.

**Comment:** This paragraph is immensely troubling. First, a District Engineer's primary focus falls under engineering, construction, and real estate. Considering the complexity and monetary value of a task such as dredging Apra Harbor, a district engineer should not determine credits and debits. A Marine Biologist should determine credits and debits and should be the primary voice for providing biological details to the District Engineer.

Second, a District Engineer should not be "encouraged to use science-based assessment methods." In fact, a District Engineer must always use science-based assessment because it is practical. Again, instances of textual inconsistency provide immense insight into DoD's actual intentions regarding Guam's natural resources. Apparently, DoD considers Guam a military hub and our natural resources are an obstacle whose destruction they intend to quantify via dubious scientific methods. Considering that it is impossible to put a price on the "biological integrity" of Guam's "aquatic habitat condition" or its endemic reefs, I propose No Action for the proposed military buildup.

Sincerely,



Benjamin J.F. Cruz

February 11, 2010

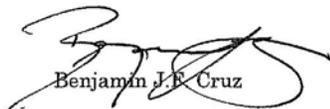
JGPO c/o NAVFAC Pacific  
258 Makalapa Drive, Suite 100  
Pearl Harbor, HI 96860-3134  
Attention: GPMO

K-085-001 Re: Volume 9.2.2.2 Page 9.19 and 9-23

There are several recreational resources that the public would lose the access to, and the use of the features if the proposed action were implemented: Guam International Raceway, Marbo Cave, Pagat Trail and associated trails near it, cultural gathering activities (*suruhana*), and off-shore fishing near Marbo Cave. Implementation of Alternative 1, regardless of the Training Complex Alternatives A or B, would cause the cessation of the present activities at all the resources mentioned because the Known Distance (KD) Range Complex is proposed in that location. The loss of Guam International Raceway land and use would be an adverse impact. Therefore, Alternative 1 would result in significant impacts to recreational resources.

**Comment:** None of the proposed mitigation activity contained on Page 9-23 addresses the loss of these recreational facilities. The only significant mitigation measure is that MCCS is planning for additional recreational facilities on Guam to meet the demands of the Marines, dependents, and civilian workers in order to minimize impact. I fail to see how this will minimize the impact on recreational areas that will no longer be available. The Guam International Raceway might be replaced but Marbo cave and Pagat trail can not.

Sincerely,



Benjamin J.F. Cruz

### K-085-001

Thank you for your comment. It is the intent of DoD to maintain public access to the cultural and historic sites at Pagat and Marbo consistent with safety and operational requirements. Restricting access to certain DoD areas at certain times is required to maintain public safety. Final plans concerning access to sites potentially impacted by the proposed action have not been developed. DoD looks forward to working with stakeholders to develop plans for cultural stewardship and access that balances operational needs, public safety concerns, and the continuing public use and enjoyment of these sites.

February 11, 2010

JGPO c/o NAVFAC Pacific  
258 Makalapa Drive, Suite 100  
Pearl Harbor, HI 96860-3134  
Attention: GPMO

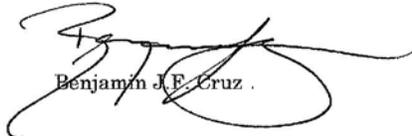
**K-086-001** Re: Volume 9 Socioeconomic Impact Assessment Study – Page 2-7,  
Federal Issues

**2.2.3 Low Capture Rates (High Leakage) for Guam Economy**

The term “capture rate” refers to the portion of new construction or operational expenditures spent in the local economy – i.e., money that actually enters the local economy and does not immediately “leak” away to sellers outside the local economy. It was determined that in general, and in relation to this proposed action, the Guam economy will experience low capture rates.

**Comment:** More analysis needs to be made and presented regarding leakage of direct spending into Guam’s economy, as measured by the Gross Island Product. A recent paper by the University of Guam’s Dr. Marie Ruane entitled *Macroeconomic Multipliers: The Case of Guam* lists a number of likely sources of leakage. They include local expenditures on military bases, which are not likely to return to the local economy. This is nowhere mentioned in the DEIS. Understating the effects of such leakages understates the overall impact of your proposed actions.

Sincerely,



Benjamin J.F. Cruz

**K-086-001**

Thank you for your comment. Please see Section 2.2.3 of the Socioeconomic Impact Assessment Study (SIAS, Appendix F of the EIS) for discussion of Low Capture Rates for the Guam Economy. Spending on military bases is accounted for in the economic analysis in the SIAS. Personal spending was adjusted downward (to include only 12% of income), in part, to represent the assumption that military members would spend a portion of their income on military bases.

February 11, 2010

JGPO c/o NAVFAC Pacific  
258 Makalapa Drive, Suite 100  
Pearl Harbor, HI 96860-3134  
Attention: GPMP

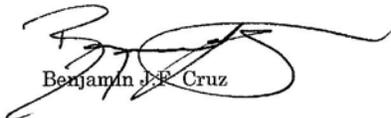
K-087-001 Re: Volume 9 Socioeconomic Impact Assessment Study – Page 1-3,  
Federal Issues

#### 1.2.4 Issues Identified During Federal Consultation

In September of 2008, the SIAS research team met with members of the Federal Regional Council (FRC) Region IX in San Francisco and with the United States (U.S.) Department of Agriculture in Washington D.C. as a launch to the SIAS research. The meetings were brokered by the OEA with the goal of establishing the basis for an objective analysis of the needs, impacts and financial challenges posed by the proposed action for GovGuam. Thus the meetings were intended to inform both the SIAS and the FIA report.

**Comment:** More information needs to be included regarding the activities of the Office Economic Adjustment and particularly the DoD's Economic Adjustment Committee in its compliance with Executive Order 12788 outlining its responsibilities to coordinate Federal interagency and intergovernmental assistance to communities, such as Guam, in responding to economic impacts caused by significant Defense programs. The General Accounting Office noted on its April 9, 2009 report the lack of leadership of DoD in coordinating efforts with other federal agencies to provide assistance to Guam. In fact, on page 3 of the report it states: *"the Office of the Secretary of Defense has not provided the high-level leadership on the Economic Advisory Committee that is necessary to help ensure interagency and intergovernmental coordination at levels that can make policy and budgetary decisions to better leverage resources through the committee."* The DEIS needs to include a report on the activities of the OEA and EAC, so that GovGuam can better plan for your proposed actions.

Sincerely,



Benjamin J.F. Cruz

K-087-001

Thank you for your comment. It our understanding that the DoD's Office of Economic Adjustment (OEA) provided funding for consultants to study how the community would be impacted and where funding could be provided to lessen the impact to the local community. In funding these studies, OEA looked at issues of expansion and improvement of the Port of Guam, land use planning, fiscal impacts, and assistance in the understanding and reviewing the DEIS. OEA funds were provided to the Governor's office, who then issued the proposals and selected the consultants for these studies. Subsequently, the reports, many of which are still under preparation, are available from the office of the Governor.

While OEA facilitated the socioeconomic consultant's meetings with the federal agencies in San Francisco, assisted in contacts with various agencies, and information was periodically shared, there was no attempt to engage in detailed discussions because the Socioeconomic Impact Assessment Study (SIAS) and OEA's studies had specific focus areas and objectives. We are aware of the General Accounting Office's (GAO) reports; however, the funding mechanisms are policies that are implemented by the Joint Guam Program Office (JGPO), rather than the preparers of the EIS.

February 11, 2010

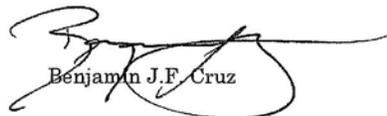
JGPO c/o NAVFAC Pacific  
258 Makalapa Drive, Suite 100  
Pearl Harbor, HI 96860-3134  
Attention: GPMP

**K-088-001** Re: Volume 9 Socioeconomic Impact Assessment Study – Page 3-47,  
Government's Share of Employment

Table 3.3-1 shows that GovGuam is the major employer on Guam. Furthermore, it shows that the percentage of Guam's payroll employment employed in the Government sector is high compared to the U.S. overall.

**Comment:** The statement is rather misleading. The paragraph refers to Table 3.3-1 indicating there are 14,430 government workers and stating "GovGuam is a major employer on Guam." However, Table 3.3-2 indicates there only 10,640 working for GovGuam and 3,790 a working for the federal government. Also, what is the purpose of making this observation that "GovGuam is a major employer"? It's as if it's to imply some negative perception about the Government of Guam. Under GovGuam's payroll, in addition to employees who serve state, local and, in some cases, federal functions, there are also GovGuam employees working in state-run utility agencies. GovGuam is a unique entity, compared to its mainland counterparts. If there was an attempt in this paragraph to draw some state level government to government, "apple-to-apple," spending comparison, it holds no water.

Sincerely,



Benjamin J.F. Cruz

**K-088-001**

Thank you for your comment. Table 3.3-1 shows more recent data for government employment than could be presented in Table 3.3-2 (employment by industry). The Socioeconomic Impact Assessment Study (Appendix F of the EIS) attempts to use the most current data as possible.

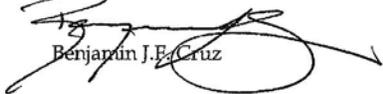
February 11, 2010

JGPO c/o NAVFAC Pacific  
258 Makalapa Drive, Suite 100  
Pearl Harbor, HI 96860-3134  
Attention: GPMP

**K-089-001** Re: Volume 2 Figure 8.1-10 Page 8-27 New Road Construction

**Comment:** This proposed new road will be built between the Rt. 1/Rt. 16 intersection and South Finegayan. As the road will end at South Finegayan, it appears that it will serve primarily, if not exclusively, the needs of the military. If the road continued past South Finegayan onto Rt. 3, it could provide an alternate route for civilian traffic. Also, as much, if not all, the land needed for construction of this road is private property, it is imperative that the land be acquired by negotiation with the affected landowners.

Sincerely,



Benjamin J.F. Cruz

### K-089-001

Thank you for your comment. This proposed new road would primarily serve the military but will reduce traffic on Route 3 and thus be beneficial to everyone.

The Department of Defense (DoD) and the Federal Highway Administration (FHWA) acknowledges that the issue of land acquisition is a complex and sensitive one.

Should the Department of Defense (DOD) or the Federal Highway Administration (FHWA) determine that additional land is necessary to improve off-base roads to meet its requirements, the FHWA policy requires compliance with 42 United States Code Chapter 61 - Uniform Relocation Assistance and Real Property Acquisition Policies for Federal and Federally Assisted Programs. This regulation establishes a uniform policy for the fair and equitable treatment of persons displaced as a direct result of projects undertaken by a Federal agency or with Federal financial assistance.

This policy requires that the FHWA make every reasonable effort to acquire expeditiously real property by negotiation. The amount offered by the FHWA will be no less than the FHWA approved appraisal of the fair market value of such property. Where circumstances exist that require resolution of issues such as ownership or value, procedures exist under eminent domain authority to resolve those questions.

February 11, 2010

JGPO c/o NAVFAC Pacific  
258 Makalapa Drive, Suite 100  
Pearl Harbor, HI 96860-3134  
Attention: GPMP

K-090-001 Re: Volume 9 Appendix E: Habitat Equivalency Analysis

The HEA used artificial reefs as a restoration project. Results indicate that a total of approximately 123 acres (497,765 m<sup>2</sup>) of artificial reef are required to compensate for coral reef habitat impacts due to the CVN Polaris Point Alternative. Approximately 121 acres (489,672 m<sup>2</sup>) of artificial reef would be required for mitigation of impacts due to the Former SRF Alternative.

**Comment:** Along with the Habitat Equivalency Analysis (HEA) in the box above, Table 3: Artificial Reefs as Compensatory Mitigation in Volume 9 Appendix E: Habitat Equivalency Analysis provides a lengthy list of the "Pros" and "Counterpoints/Cons" of artificial reefs. These are perfunctory studies and analysis to satisfy the mandates of the National Environmental Policy Act. The reality is that no artificial reef is capable of being an equal resource to a natural coral reef. The formation of reefs takes millions of years. Aquatic creatures grow and adapt into reef habitat over millions of years. At the extreme minimum, thousands of species of aquatic flora and fauna create a single reef. Artificial reefs, no matter the acres proposed, should not have value as either compensation or mitigation for the destruction of a coral reef.

DoD is intent on eradicating one of Guam's few endemic resources, coral reefs. Therefore, I suggest a litany of items from restoring land resources to cleaning Agent Orange storage depots, refurbishing our water resources, repairing our erosion problem, returning lands to residents, installing artificial reefs, monitoring of artificial reefs for 50 years by UOG and DAWR, and funding a new landfill after DoD fills the Layon landfill during the buildup. However, the damage DoD has done to Guam in the past is egregiously counterbalanced by the permanent damage they intend for Guam in the near future. For that reason, I recommend No Action for the proposed military buildup.

Sincerely,



Benjamin J.F. Cruz

K-090-001

Thank you for your comment. A detailed compensatory mitigation plan would be submitted as part of the Clean Water Act 404 permit application for construction affecting the navigable waters of the United States (including the CVN transient wharf). Due to the ongoing review of DoD's habitat assessment methodology for coral reef ecosystems and associated uncertainties regarding the scope of mitigation required, a detailed mitigation plan has not been developed nor will one be available for incorporation into the FEIS. However, a number of mitigation options, including watershed restoration and the use of artificial reefs, are discussed in programmatic nature in Volume 4, Section 11.2 of the FEIS. DoD recognizes that, as part of the CWA Sec. 404 permitting process, additional NEPA documentation may be required to address specific permitting requirements and implementation of required compensatory mitigations.

February 12, 2010

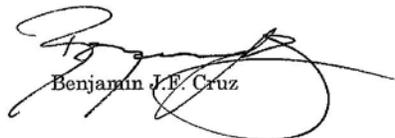
JGPO c/o NAVFAC Pacific  
258 Makalapa Drive, Suite 100  
Pearl Harbor, HI 96860-3134  
Attention: GPMO

**K-091-001 Re: Volume 9 Socioeconomic Impact Assessment Study – Page 3-47, Price Adjusted Salaries**

**Table 3.3-5. Guam Consumer Price Index (CPI), All Items, Index, Yr. 2000 = 100;  
Table 3.3-4. Guam Median Annual Salary by Occupation, 2000 and 2008; AND  
Table 3.3-6. Guam, Price Adjusted Median Annual Salary by Occupation, 2000  
and 2008.**

**Comment:** The wage disparity between buildup-related jobs and existing local jobs already points to increased inflation. Table 3.3-5 and the fact that inflation already outpaces growth in salaries indicated on Table 3.3-4 only compounds the problem. Again, DoD should assist Guam by lobbying Congress to suspend the Jones Act, during the peak of the buildup, otherwise there should be NO ACTION.

Sincerely,



Benjamin J.F. Cruz

### K-091-001

Thank you for your comment. Relating to cost of living and the proposed military buildup, it is noted that the history of inflation and recession of Guam's economy from the 1970s to present was provided on page 3-47 of the SIAS. In subsection 4.3.1.4 (beginning page 4-10) of the SIAS, the subject of impact on the standard of living is addressed, stating: "Standard of living is a measure of purchasing power. If the standard of living increases for a person it means they can purchase more goods and services. If the standard of living declines for that person, he or she can purchase fewer goods and services. Changes in a person's standard of living are determined by their income and the prices of the goods and services they tend to purchase. A person's standard of living will increase if their income rises faster than the prices of goods and services they tend to purchase. A person's standard of living will decline if the prices of goods and services they tend to purchase rise faster than the person's income. In both the construction and operational components, the average wage of workers would increase as a function of greater demand for labor. However, the price of goods and services purchased by individuals would rise as well. It cannot be definitively predicted whether wages or the price of goods and services would increase at a faster pace. If wages earned by a particular household rise more quickly than the price of goods and services, then the standard of living would increase. If the price of goods and services rises more quickly than wages, the standard of living would decrease. For households on fixed incomes, the result would be reduced purchasing power. Those with the ability to quickly renegotiate their wages will have a better chance at maintaining or increasing their standard of living." On page 4-11 of the SIAS, the discussion continues and discusses the income of military related construction and operational jobs that will, on the average, be higher than the present average wages on Guam. It concludes: "In terms of cost of living, from 2000 to 2008 Guam workers have seen their standard of living decline by 30% and there is no reason to expect the military buildup to reverse that trend – Guam workers will likely to

continue to see the cost of goods and services rise faster than their incomes. While the proposed action may not represent a reversal of this trend, it will slow the rate of decline in the standard of living that has been prevalent since 2000."

Your recommended mitigation measure has been taken under consideration. Expanded mitigation discussion is available in the FEIS.



February 12, 2010

JGPO c/o NAVFAC Pacific  
258 Makalapa Drive, Suite 100  
Pearl Harbor, HI 96860-3134  
Attention: GPMO

K-092-001 Re: Volume 1 - Chapter 3 - Page 3-26 - Solid Waste

*Solid Waste*

*Basic Alternative 1 (Preferred).*

The Preferred Alternative for solid waste would be the continued use of the Navy Landfill at Apra Harbor until the Layon Landfill is opened, which is scheduled for July 2011.

**Comment:** The Ordot Landfill, which was created by the U.S. Navy after World War II, is one of 106 Superfund cleanup sites. Since it was through action by DoD in creating this facility, DoD should include it as a priority for consideration by the Economic Adjustment Committee to assist Guam in dealing with the proposed actions. Even if the DoD maintained use of the existing landfill in Apra Harbor, your proposed actions will likely result in some impact on local landfill facilities. Inevitably, through substantial construction activity and population increase, the lifespan of any new GovGuam landfill facility after the closure of the Ordot Dump, will be shortened and adversely impact the civilian community. The correlation of landfill lifespan and population growth needs to be addressed in the SIAS and shared with the U.S. Environmental Protection Agency to secure support for GovGuam.

Sincerely,

Benjamin J.F. Cruz

**K-092-001**

Thank you for your comment. The issue of Ordot Landfill is outside the scope of this EIS.

The new Layon Landfill is designed to accommodate municipal solid waste from all current and future DoD sources as well as civilian and commercial sources. Based on conservative waste generation rates, the new landfill will reach capacity in approximately 33 years. The DoD will be implementing diversion and recycling programs that will significantly reduce solid waste generation and will help to extend the life of the landfill. Details of these programs have been added to Volume 6, Chapter 2.

February 12, 2010

Joint Guam Program Office  
c/o NAVFAC Pacific,  
258 Makalapa Drive Suite 100,  
Pearl Harbor, HI 96860-3134,  
Attention: GPMO

Re: DEIS

**K-093-001** Comment: The Draft Environmental Impact Statement proposes a military buildup that, at its peak, must accommodate 80,000 new people with housing, water, electricity, public services, and recreation on a 212-square mile island already home to at least 170,000 residents.

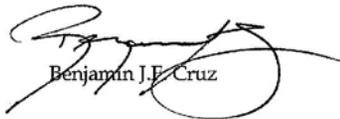
The draft is poorly researched and ill compiled and shows utter disregard for Guam's people. To continuously put forth that the buildup will have less than significant impacts, or that the significant impacts are mitigable to moderate impacts is biased at best.

If a revised DEIS is not submitted, one that has been edited for errors, inconsistencies, and outright contradictions, we will be safe in concluding that it is the intent of the Department of Defense and the federal government to turn the entire island of Guam into a military base.

Claiming large portions of private property, destroying NHRP-registered or NHRP-eligible sites with significant artifact scatter and possible ancient human remains, draining freshwater resources, driving up housing costs that will crash in a few short years, and decimating the aesthetic resources that make Guam a marketable commodity as a vacation destination—one can draw no other conclusion. Either the Department of Defense is unaware that people native to this island and nowhere else live here or they are unconcerned.

Either way, a buildup of this magnitude will destroy the island for its people and I cannot support it. I recommend no action.

Sincerely,



Benjamin J.F. Cruz

### K-093-001

Thank you for your comment. Topics such as the political status also commonly referred to as “decolonization” and “self-determination” of Guam are important issues but are not part of the proposed action. DoD recognizes the importance of reducing adverse socio-economic and cultural change effects on the people of Guam, the island's natural resources, and infrastructure. The EIS process identifies ways to implement the proposed relocation while minimizing adverse impacts. DoD will continue to work with the people and Government of Guam to ensure that the short-term impacts of construction are managed effectively and that the long-term effects of the military relocation reflect DoD policies to be good neighbors and responsible citizens on Guam.

February 12, 2010

JGPO c/o NAVFAC Pacific  
258 Makalapa Drive, Suite 100  
Pearl Harbor, HI 96860-3134  
Attention: GPMO

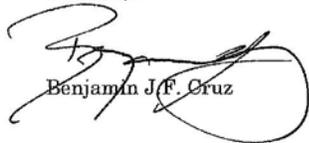
K-094-001 Re: Volume 9 Socioeconomic Impact Assessment Study – Page 2-8,  
Federal Issues

**2.2.4 Capturing the Potential of Indirect Economic and Population Growth During Construction**

It is uncertain if Guam has the capacity to fully absorb and benefit from the sudden injection of large expenditures into its economy during the "boom" period (when peak construction overlaps with military arrivals). Large expenditures in this period theoretically would circulate throughout the economy and create opportunities for spin-off growth in jobs and population. But if the economy and social infrastructure cannot expand rapidly enough to provide the labor, housing, and other requirements for these jobs to be realized, then much of these expenditures could leak out of Guam's economy and the potential growth would not all occur before the construction period ends.

**Comment:** This is yet another reason why it is imperative that the Department of Defense mitigate by working with other federal agencies to assist Guam to upgrade its infrastructure by ensuring that the Economic Adjustment Committee carry out its duties spelled out in Executive Order No. 12788 with respect to the proposed actions on Guam. All activities and plans of the EAC, including its dialogue with other relevant federal agencies, should be featured in the DEIS.

Sincerely,



Benjamin J.F. Cruz

**K-094-001**

Thank you for your comment. As documented in this EIS, DoD acknowledges the existing sub-standard conditions of key public infrastructure systems and social services on Guam and the interest to have DoD fund improvements to these systems and services. DoD's ability to fund actions is limited by Federal law. However, to minimize adverse impacts associated with the proposed military relocation program, DoD is leading a federal inter-agency effort to identify other Federal programs and funding sources that could benefit the people of Guam.



February 12, 2010

JGPO c/o NAVFAC Pacific  
258 Makalapa Drive, Suite 100  
Pearl Harbor, HI 96860-3134  
Attention: GPMO

**K-095-008:** Volume 6 Chapter 2 Proposed Actions and Alternatives

The planned replacement for the GovGuam Ordot Dump is the new GovGuam Layon Landfill. The proposed site is located in Layon near the village of Inarajan, in the higher badland (highly eroded rocky) areas on the west side of the Dandan parcel, southwest of the former National Aeronautics and Space Administration (NASA) tracking station. Construction of the new facility began on February 25, 2009, and the landfill is expected to be ready for acceptance of solid waste by July 2011 (Gershman, Brickner, & Bratton 2009a). The Layon Landfill was designed to accommodate solid waste from all current and future DoD sources as well as civilian and commercial sources. The Layon Landfill would have a capacity of 15.8 million cubic yards (yd<sup>3</sup>) (12.1 million cubic meters [m<sup>3</sup>]) of solid waste as presented in the GEPA Draft Municipal Solid Waste Landfill Facility Permit (GEPA 2009).

**Comment:** Despite the fact that Gershman, Brickner & Bratton, Inc. has been in the process of constructing Layon landfill for over a year, DoD has not signed a Memo of Understanding that will ensure their commitment to Layon landfill as lifetime customers. Nothing exists in the DEIS related to DoD's paying down landfill bonds for the construction of Layon landfill. Were DoD to assist in the payment of landfill bonds, it would greatly reduce the cost of tipping fees for residential customers whose combined waste is far less than what the military will generate during the buildup. Additionally, DoD's plans to use the Layon landfill greatly reduces its capacity for residents.

As DoD has intentions to use Layon, it is incumbent upon the military that they sign a Memo of Understanding and assist in paying for the landfill bond. Until such progress is made on behalf of island residents, I recommend No Action for the proposed military buildup.

Sincerely,

Benjamin J.F. Cruz

**K-095-001**

Thank you for your comment. In July 2009, a letter of intent between the Navy, GovGuam, and GBB was signed that establishes the Navy's intent to pursue a contractual arrangement for use of the GovGuam's new Layon Landfill. A copy of the agreement was presented in Appendix C of the DEIS.

Tipping fees that the DoD would pay to dispose of solid waste in the new landfill would be used to pay for the construction of the landfill and repayment of bond that Guam borrowed to construct the new landfill. DoD has signed a Letter of Intent to use the new Guam Landfill for the disposal of municipal solid waste.

February 12, 2010

Joint Guam Program Office  
c/o NAVFAC Pacific,  
258 Makalapa Drive Suite 100,  
Pearl Harbor, HI 96860-3134,  
Attention: GPMO

**K-096-001** Re: Visual Resources, Volume 7 3.3.12

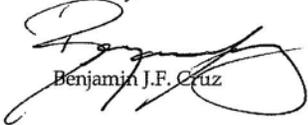
The military buildup would result in substantial changes to the visual environment at specific locations in Guam. For instance, roadways and intersections widened by the Guam Roadway Network (GRN) projects would add an increased urban character to the views of the roadways. Those traveling on the roadway would likely find the wider pavement sections very noticeable. Pedestrians and those living or working adjacent to the roadway or intersection would likely find the changes very noticeable as well; however, it is not anticipated that these viewers would be highly sensitive to the individual changes given the cumulative nature of the roadway visual quality changes. Potable water supply, storage, and treatment would introduce new features into the landscape. The height of the current DoD landfill at Apra Harbor would be nearly doubled under the preferred alternative for solid waste, causing significant effects to nearby and distant public viewpoints and sensitive receptors. These effects would be reduced to a level of less than significant with implementation of appropriate mitigation measures, including notable grading and re-vegetation.

**Comment:** When the tourism industry accounts for roughly 60 percent of an island's gross domestic product, the quality of the island's visual resources must be carefully maintained. As it is, many parts of Guam already have quite an "urban visual character," even areas more commonly frequented by tourists.

If DOD proceeds with its plans to destroy more greenspace for military housing and operations, not only will residents suffer the loss of their environment, but Guam will no longer be marketable as a tourist destination.

The widening of roadways and intersections and removal of what little rainforest we have left will not be mitigated by "using native flora to create a natural-appearing screen." Our economy relies on tourism to sustain itself, therefore I must recommend no action be taken that would further defile our natural environment.

Sincerely,



Benjamin J.F. Cruz

**K-096-001**

Thank you for your comments. The proposed actions would represent a change over the existing visual conditions and interior views on DoD properties, it would be expected to be less than significant because most of the property is already under DoD ownership and there are few, if any, sensitive views or receptors enjoyed by the general public that currently exist on these sites. Existing recreational resources accessible by the general public and visitors to the island of Guam are not situated on or near the DoD properties, it is not anticipated the implementation of the proposed action would detract from scenic qualities of the island.

February 12, 2010

Joint Guam Program Office  
c/o NAVFAC Pacific,  
258 Makalapa Drive Suite 100,  
Pearl Harbor, HI 96860-3134,  
Attention: GPMO

**K-097-001 Re: Public Service Impacts of No Action**

The public service agencies would not face pressures to expand professional staffing, and agencies involved in planning and regulating growth would not experience such a sharp increase in workload. Agencies that are required to implement major infrastructure developments – such as the ports and highways – would have substantially more time to implement long-term plans rather than having to achieve much of their objectives over the next few years.

However, at the broader level, no action and the elimination of prospective long-term revenues expected from the preferred alternatives would still leave GovGuam agencies in the difficult financial condition they have faced in recent years. At least for the foreseeable future, this would negatively impact the various service agencies because of budget cuts, and would probably represent the most important overall consequence for the GovGuam.

**Comment:** The statement cited above is a clear example of the biased slant with which this entire Draft is written. It suggests that to take the no action alternative—that is, to abandon the military buildup project on Guam entirely—could somehow have a greater impact on public service than flooding the ill-prepared agencies with as many as 80,000 people.

This position is so ludicrous it causes me to question the integrity of the firm who prepared the document. Granted, certain economic projections have been made based on buildup-related revenues. Not only were such revenues overestimated; but it is outrageous to expect anyone to believe the Ponzian claim that no action “would probably represent the most important overall consequence for the GovGuam.”

Sincerely,



Benjamin J.F. Cruz

**K-097-001**

Thank you for your comment. Public comments on the Draft EIS are an important part of the decision-making process. This information becomes part of the Final EIS and is evaluated when DoD prepares the Final EIS and issues a Record of Decision at the end of the National Environmental Policy Act (NEPA) process.

February 12, 2010

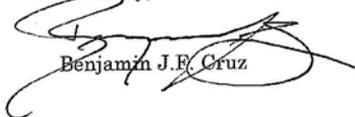
JGPO c/o NAVFAC Pacific  
258 Makalapa Drive, Suite 100  
Pearl Harbor, HI 96860-3134  
Attention: GPMO

**K-098-001 Re: Volume 2 Chapter 2.3.2.5 Live-Fire Training Range Complex**

The East-West and the west coast alternatives described in Table 2.3-7 were eliminated following advice of the office of the Governor. The amount of submerged land that would be encumbered by the SDZs generated by the ranges on the west coast would have an unacceptable impact on recreational activities and traditional fishing areas, which are prevalent on the west coast. Step 2 site selection therefore identified only one feasible site for the live-fire Training Range Complex.

**Comment:** The same criteria used to eliminate the west coast from further consideration as a firing range should apply to the land east of Andersen South and Rt. 15 known as Sasayon Valley. The area is comprised of traditional fishing, cultural, and recreation sites. I urge absolutely NO ACTION.

Sincerely,



Benjamin J.F. Cruz

**K-098-001**

Thank you for your comment. DoD was required to determine whether military relocation requirements could be met by excess, underutilized or otherwise available property held by DoD on Guam. Early development plans attempted to keep all activities on existing DoD lands. However, as discussed in the FEIS (Volume 2, Chapter 2), after applying operational and environmental screening criteria, no contiguous DoD area on Guam was identified that could support all the land use and operational requirements of the action.

You are correct in that the same criteria would apply, but the east coast was less impacted by these criteria than the west. Your preference for the No Action Alternative, which would result in no new live-firing ranges, is noted.

February 15, 2010

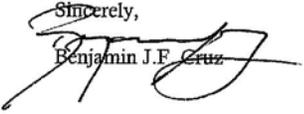
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Pearl Harbor, HI 96860-3134  
Attention: GPMP

K-099-001 Re: Volume 9 Appendix D Judiciary Page 73

Facility needed up North. This is where 60% of the population is. Will soon open a satellite center in the Dededo mall – have leased commercial space – enough for one courtroom.

**Comment:** At the Public hearing conducted by the Guam Legislature on January 26, 2010, Judiciary officials reported that The Judiciary would need over \$78 million to adequately prepare to service the population increase brought about by the buildup. Much of this amount is needed to build new court facilities. This vital issue is not addressed in the DEIS and must be addressed in the Final EIS.

Sincerely,

  
Benjamin J.F. Cruz

### K-099-001

Thank you for your comment. As documented in this EIS, DoD acknowledges the existing sub-standard conditions of key public infrastructure systems and social services on Guam and the interest to have DoD fund improvements to these systems and services. DoD's ability to fund actions is limited by Federal law. However, to minimize adverse impacts associated with the proposed military relocation program, DoD is leading a federal inter-agency effort to identify other Federal programs and funding sources that could benefit the people of Guam.

February 15, 2010

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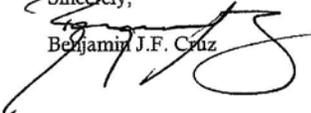
**K-100-001** Re: **Volume 7 Chapter 4.4.5.4 Additional Selected General Services Discussion**  
**Additional Support Staff Requirements Page 4-100**

Although current staffing numbers were not provided, the following ratios regarding support staff per judge was provided in a recent Judiciary needs assessment document (per judge) (Guam Judiciary Interview – Appendix D):

- 1 Chamber Clerk
- 1 Bailiff
- 1 Law Clerk
- 1 Deputy Clerk Supervisor
- 1 Deputy Clerk Assistant
- 2 Deputy Clerk I
- 2 Deputy Clerk II

**Comment:** These numbers are misleading and do not accurately reflect the needs of Guam's Judiciary. Court officials reported to the Guam Legislature that the total number of support staff needed would be 124. Part of the reason for this is that new courtroom facilities would have to be built to service the population increase.

Sincerely,

  
Benjamin J.F. Cruz

**K-100-001**

Thank you for your comment. Volume 7 of the DEIS reflects the total impacts of all the components of the proposed action. During the DEIS comment period, several local agencies provided their estimation of staff impacts. The FEIS will be revised to show their estimates (as well as those in the DEIS). It should also be noted that the DEIS used the maximal population anticipated and that the existing ratio of service providers to clients or overall population was used.



February 15, 2010

Joint Guam Program Office  
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258 Makalapa Drive Suite 100,  
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Attention: GPMO

**K-101-001 Re: Hotel Occupancy Tax Losses, Volume 2, 16.2.3.2 Economic Impacts**

While Guam businesses are expected to benefit from various opportunities, including military set-asides, there could be a variety of impacts on tourism, both positive (e.g., increased hotel occupancies from business travelers and military families) and negative (a military —sense of place|| competing with the historic/cultural milieu the GVB hopes to promote).

**Comment:** To call the increased hotel occupancies from business travelers and military families a benefit to Guam businesses is false and misleading.

While military personnel, their dependents, and federal employees occupy hotel rooms that would otherwise be rented by tourist, they are exempt from Guam's hotel occupancy tax. Therefore, Guam loses \$21 million per year in hotel occupancy tax revenues.

Additionally, hotels occupied to capacity by military and federal personnel creates a discrepancy between the factors used to project visitor arrival numbers. If it is observed that a hotel was full and reservations could not be made at a peak season, and yet airline seats from tourist origins (Japan, Taiwan, Korea, etc.) were empty, Guam will lose tourist business in the long term. Tour agents' expectations will be skewed and Guam's industry will suffer as a result of this confusion.

I recommend that military and federal personnel be required to pay the hotel occupancy tax, just as tourist and locals are required. I additionally recommend that military exercises requiring hotel accommodations be made during off-peak tourist seasons.

Sincerely,

Benjamin J.F. Cruz

**K-101-001**

Thank you for your comment. Relating to the payment of hotel room taxes by the military- please see Socioeconomic Impact Assessment Study (SIAS, Appendix F, Volume 9 of the EIS) for information regarding your comment. Appendix D of the SIAS titled "February 2009 Guam Interviews" contains an interview with the president of the Guam Hotel and Restaurant Association (GHRA) and the general manager of the Fiesta Hotel (located in Tumon). During the interview (which can be found on page 100 of Appendix D of the SIAS), GHRA and the Fiesta Hotel explained that hotels on Guam generally run at about 65% occupancy, and that military guests "are always welcome" as they "make up for the discount on rooms with extra food and beverage spending." The occupancy rate then offsets some of the hotel room taxes paid because visitors' expenditures would likely be higher.

February 15, 2010

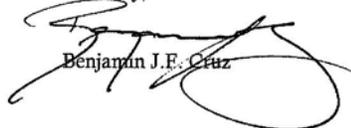
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Attention: GPMO

**K-102-001** | **Re: Volume 2 Table 16.2-46. Public Safety Services Staffing Impacts Summary Peak Year  
Additional Staffing Requirements**

GPD – Police Officers- 117 GFD – Firefighters – 59 GDoC – Custody and Security Personnel- 44 GDYA – Youth Service Professionals- 29
--

**Comment:** The total as stated in the DEIS for the four public safety agencies is 249. At the Public hearing conducted by the Guam Legislature on January 26, 2010, a high ranking representative of GPD reported that GPD alone would need an additional 300 new police officers. The DOC Director stated that DOC would need 147. It is clear that the numbers in the DEIS are understated. This must be addressed in the Final EIS.

Sincerely,



Benjamin J.F. Cruz

### K-102-001

Thank you for your comment. The Socioeconomic Impact Assessment Study (SIAS) and the Draft EIS are documents that have identified the probable impacts of the proposed action and alternatives based on the best available information. Existing data and information was gathered and supplemented with interviews with federal and Guam agencies. To provide the public and various governmental agencies with an opportunity to review and comment on the methodologies and assumptions used, the SIAS was included as Appendix F, Volume 9 of the Draft EIS. Comments provided on the Draft EIS will also be included to provide the decision-makers with the public views in support and/or opposition of the proposed action and alternatives.



February 15, 2010

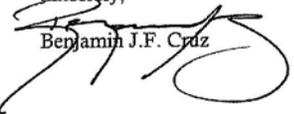
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**K-103-001** Re: **Volume 9 Chapter 4.4.5.4 Additional Selected General Services Discussion**

Finally, the Guam Judiciary currently requires three additional judges to manage the workload that is independent of the proposed action (Guam-JGPO Public Safety Forum 2008).

**Comment:** At the January 26, 2010 Public Hearing conducted by the Guam Legislature, Guam Judiciary personnel stated that four additional judges would be needed to service the increase in population due to the buildup.

Sincerely,

  
Benjamin J.F. Cruz

### K-103-001

Thank you for your comments. During the DEIS comment period, we received a number of estimates from various local agencies on the staff requirements. These numbers were not consistent with the numbers in the DEIS and SIAS; the FEIS will indicate the estimates provided by the local agencies.

February 15, 2010

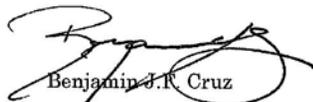
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Attention: GPMO

**K-104-001** Re: Volume 9 – Socioeconomic Impact Assessment Study, Page 4-63 – Hospital

Table 4.4-33. Public Health and Human Services Impact Summary (Unconstrained)

**Comment:** Early on, it was routinely reported by the media on Guam that the “chokepoint” to the buildup would be the seaport. I respectfully submit that the real checkpoint is the hospital. I indicated this at your public meeting on January 9, 2010 at the University of Guam. The Guam Memorial Hospital should not assume additional responsibilities related to the buildup. I recommend that the Naval Hospital be tasked to accommodate buildup-related contractor employees, military civilian employees, and their dependents. **The final DEIS should also include plans to bring in the needed additional medical professionals from off-island and from within DoD’s existing medical facilities, such as doctors and nurses, to accommodate the buildup.** While medical coverage may be provided by DoD and its contractors for civilian employees and construction workers, their coverage will not solve GMHA’s problem of recruiting medical professionals. Physician and nurse shortages are both a local and nationwide problem that Guam is ill-equipped to address. DoD’s proposed actions may result in a public health disaster on Guam, unless action is taken by DoD to ensure that the 19 doctors and 121 other medical professionals are on Guam to support the buildup. Unless, DoD assumes responsibility for the medical care of construction workers, be they direct or indirect to the proposed actions, there should be NO ACTION.

Sincerely,



Benjamin J.F. Cruz

**K-104-001**

Thank you for your comment. The DoD has no statutory authority to construct a new public hospital for Guam. However, money from taxes, fees, and reimbursements would support these facilities and services. It should also be noted that in Okinawa, the Government of Japan pays much of the cost (\$2 billion per year) for the Marine base. The DoD plans to have several medical clinics in Guam and a new replacement Naval hospital would provide health services to the military personnel, their dependents, and military beneficiaries. Additionally, it is anticipated H2B workers as well as on-island workers will have health plans and private clinics will provide medical services.

As documented in this EIS, DoD acknowledges the existing sub-standard conditions of key public infrastructure systems and social services on Guam and the interest to have DoD fund improvements to these systems and services. DoD’s ability to fund actions is limited by Federal law. However, to minimize adverse impacts associated with the proposed military relocation program, DoD is leading a federal inter-agency effort to identify other Federal programs and funding sources that could benefit the people of Guam.

February 15, 2010

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Attention: GPMP

**K-105-001** Re: Volume 7, Page 3-53, Socioeconomics – Population influx/Labor Oversupply

3.3.15 Socioeconomics

3.3.15.1 Summary of Preferred Alternatives' Impacts

Overall, socioeconomic impacts of preferred alternatives would be island-wide in nature, with little difference in effects among the various alternatives. Implementation of the proposed actions of the Marine Corps, Navy and Army would result in impacts of sudden activity (and thus both positive and negative impacts) that peak during the 2013-2015 timeframe. Impact significance is increased because of the overlap in the construction and operation phases of the preferred alternatives. The peak growth period would be followed by a period of relatively less significant impact when construction ends and a large part of the population influx (due to construction work) would likely leave the island. While quality of life might improve and public service agencies may be more equipped to handle this more manageable post construction population "steady state", the ensuing dip in economic impact could result in an island-wide economic slowdown given the peak spending during the build-up period.

**Comment:** The quality of life may in fact deteriorate because GovGuam will incur fixed costs to support the buildup and then run on a shrunken tax base. Also, the level of economic activity will come to a grinding halt in just several years. More analysis needs to be presented on the affects of the action after the peak year, particularly on the oversupply of labor and housing. For example, there should be an analysis on the possibility of large numbers of migrants entering the island for employment and the lack of available jobs after the construction has concluded. There should be an analysis on how difficult it would be for laborers to migrate out of the island after the build-up. There may be workers who will want to stay or simply cannot afford to leave. They will remain and compete with the local labor pool and may even push wages lower than they were before the buildup, adversely impacting everyone.

Sincerely,



Benjamin J.F. Cruz

**K-105-001**

Thank you for your comment. DoD recognizes the importance of reducing adverse effects on the people of Guam, its natural resources, and infrastructure. The EIS process identifies ways to implement the proposed relocation while minimizing adverse impacts. DoD will continue to ensure that the short-term impacts of construction are managed effectively and that the long-term effects of the military relocation reflect DoD policies to be good neighbors and responsible citizens on Guam.

February 15, 2010

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258 Makalapa Drive, Suite 100  
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Attention: GPMP

K-106-001 Re: Volume 2, Page 4-6, Water Resources

The Guam Watershed Planning Committee (WPC) was established in 1998 and consists of representatives from 14 federal and local organizations and agencies, including GEPA, U.S. Department of Agriculture's Natural Resource Conservation Service, Guam Waterworks Authority, Guam Department of Commerce, Guam Department of Agriculture, Guam Bureau of Planning, College of Agriculture and Life Sciences at the University of Guam, Water and Environmental Research Institute, Guam Department of Land Management, Navy Public Works Center, COMNAV Marianas, Air Force, and Southern Soil and Water Conservation District. One of the WPC subcommittees focuses on restoration of the Northern Guam Lens Aquifer (NGLA).

**Comment:** There should be included in the DEIS a plan on how the Department of Defense intends to communicate and consult with the University of Guam Water Environmental Research Institute and the Guam Waterworks Authority on decisions to recognize a sustainable yield and the appropriate technology to extract Guam's water resources. In fact, an agreement with the Government of Guam ensuring cooperation and transparency should be entered into on this matter. DoD should be involved and active at all levels of local interagency discussions to ensure that prescribed production limits are agreed to and followed so as not to jeopardize the quality of the Northern Guam Lens Aquifer. Otherwise, my recommendation is that there be NO ACTION.

Sincerely,



Benjamin J.F. Cruz

K-106-001

Thank you for your comment. DoD endorses your position and has recommended formation of an aquifer management authority to ensure proper management of the aquifer for the benefit of all Guam. This recommendation is endorsed by EPA Region 9, the Guam Water Authority, WERI, and the Consolidated Commission on Utilities (CCU). In Volume 6, Chapter 3, Section 3.2.3.1, Page 3-52, one of the mitigations for potential impacts to the northern Guam lens aquifer is to co-manage the aquifer. The final EIS will discuss this approach in more detail by providing an update to the discussions to-date to form this agreement.

**K-107-001**

Thank you for your comment. U.S. security policy and visitor clearances are not under the purview of the DoD.

February 15, 2010

Joint Guam Program Office  
c/o NAVFAC Pacific,  
258 Makalapa Drive Suite 100,  
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Attention: GPMP

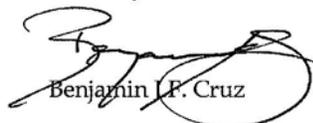
**K-107-001 Re: TOURISM; Visa Waivers for China and Russia**

**Comment:** As Guam looks to expand its source markets, because its current source markets are stagnating (the \$1.2 billion industry we have today is projected to be reduced to \$800-900 million), the Department of Defense must not inhibit Guam from introducing visa waiver programs that would attract the Chinese and Russian markets.

As DOD's proposed buildup will negatively affect Guam's economy after the construction boom and after the peak in 2014, DOD should help the island mitigate these future losses by allowing for the visa waiver programs between Guam and China and Russia.

If DOD's increased presence on Guam will in fact inhibit the visa waiver program, I recommend NO ACTION.

Sincerely,



Benjamin J.F. Cruz

February 15, 2010

Joint Guam Program Office  
c/o NAVFAC Pacific,  
258 Makalapa Drive Suite 100,  
Pearl Harbor, HI 96860-3134,  
Attention: GPMO

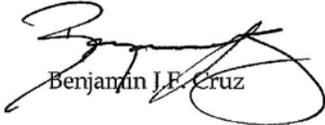
**Re: Effects on tourism labor pool**

**K-108-001** **Comment:** The higher paying jobs afforded by the military buildup are going to attract workers away from the lesser-paying jobs in the hospitality industry.

This will have long term effects on Guam's important tourism industry because such positions are necessary in providing our visitors the caliber of service that will keep them returning and that will establish Guam's reputation as a marketable vacation destination.

As this will detrimentally affect Guam's most viable industry long after the purported "economic boom," I recommend NO ACTION.

Sincerely,



Benjamin J.F. Cruz

**K-108-001**

Thank you for your comment.



February 15, 2010

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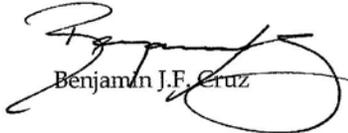
**K-109-001** | **Re: Firing Range interferes with GIAA expansion plans**

**Comment:** The firing range proposed on the east side of the airport must be found a new location.

The airport already has plans to expand facilities for a small craft terminal in this area. It is needed to alleviate air traffic, and GIAA's plan preexisted the release of the DEIS.

I recommend the Department of Defense place this specific firing range within its existing footprint.

Sincerely,



Benjamin J.F. Cruz

**K-109-001**

Thank you for your comment. The DEIS describes the intensive selection process that the DoD went through to select alternatives for the location of the firing range on Guam in Section 2.3.1. Because of the size of the firing ranges and the need to include all safety zones as part of the acquired lands, or conflicts with existing land uses (housing, Won Pat International Airport), the firing range could not be placed on DoD lands. Discussion on the screening process associated with the firing ranges has been clarified in the FEIS.



February 15, 2010

Joint Guam Program Office  
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Attention: GPMO

**Re: Cultural Resources, Volume 7, Volume 2**

**Volume 7, 3-42:** Cultural sites would be lost during construction of the preferred alternatives, contributing to the ongoing trend in declining number of cultural sites. Once the mitigation is implemented for this loss, cultural impacts would be reduced to a less than significant level.

K-110-001

**Comment:** Cultural sites are integral to the preservation of our cultural heritage, to the positive self-concept of our native children, and to the tourism industry that sustains our island's economy.

To deny access to the excavation of sites which may still contain ancient human remains and which most certainly contain artifacts dating as far back as Guam's Pre-Contact period through the 17<sup>th</sup> century would have a significant and imitigable impact.

Because of the great number of such sites continuously referred to throughout Chapter 12 of Volume 2 of the DEIS, it seems as though there are no alternative sites and so I recommend NO ACTION.

Sincerely,

Benjamin J.F. Cruz

**K-110-001**

Thank you for your comment. Early identification, consultation, and predictive modeling resulted in a significant reduction of sites directly impacted by designing the proposed project away from or around areas that contained high densities of historic properties. Thus, the vast majority of impacts to resources were avoided. DoD will continue to work very closely with the Guam SHPO and other consulting parties to avoid, minimize, and/or mitigate adverse effects to cultural resources and to provide information necessary to protect historically important archaeological sites.

DoD understands the importance of the cultural and historic issues related with land in Guam, and in particular those associated with the Pagat and Marbo areas. No direct disturbance to the Pagat site would occur from the construction or operation of the proposed firing range. However, DoD acknowledges that maintaining access to these sites is important. Although plans concerning access have not been developed, it is not the intent of DoD to totally restrict access should these properties be acquired. DoD looks forward to working with stakeholders in developing plans for access that balance operational needs, public safety concerns, and the continuing public use and enjoyment of these sites.

February 15, 2010

Joint Guam Program Office  
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Attention: GPMO

**Re: Guam International Airport Authority as official alternate landing airport**

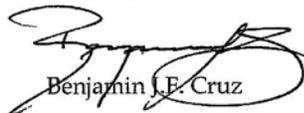
K-111-001

**Comment:** I am curious as to what the Department of Defense has done to respond to the Guam International Airport Authority's request for the \$500 million needed to upgrade the airport for the military's needs as the official alternate landing airport.

According to GIAA Executive General Manager Carlos Salas, the funds have been requested of DOD and GIAA has received no specific commitment.

If this buildup is to occur and the military intends to name GIAA as its official alternate landing airport, I recommend this request for \$500 million in upgrade funds be met immediately so that DOD's landing needs are not ill accommodated.

Sincerely,



Benjamin J.F. Cruz

**K-111-001**

Thank you for your comment. Funding for airport improvements, including any requirements necessary for upgrading the existing facilities for designation as an alternate military landing airport, will be funded from federal agencies. DoD will work with the airport to identify possible increased sources of federal funds.



February 16, 2010

Joint Guam Program Office  
c/o NAVFAC Pacific,  
258 Makalapa Drive Suite 100,  
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Attention: GPMO

**Re: Recreational, Cultural, and Tourist Activities, Vol. 7 3.4.8**

The anticipated increase in civilians and tourists on Guam could put additional pressure on the use of recreational sites and visits to cultural sites, both of which are typical tourist and local population activities. The GDPR would need staffing and budget to prepare and implement a recreation plan. Additional dive/snorkeling sites and other recreational facilities may need to be constructed and maintained.

K-112-001

**Comment:** In its assessment above that the Guam Department of Parks and Recreation will need additional staff and budget, has the Department of Defense appropriated any funds to assist GDPR in meeting the needs the military buildup are going to create?

How does the Department of Defense plan to construct and maintain additional dive/snorkeling sites? Our biologists have already consulted with the Department of Defense contractors and warned them against coral transplantation and artificial reef construction—neither are successful, both are problematic to the existing environment.

Since the Draft EIS has not outlined a clear plan to mitigate the damage that will be done to Guam's recreational and cultural resources and the detriment this will have on tourist activities and therefore the tourism industry, I assess this draft ill prepared and must recommend NO ACTION.

Sincerely,

Benjamin J.F. Cruz

**K-112-001**

Thank you for your comment. DoD recognizes the importance of reducing adverse socio-economic and cultural change effects on the people of Guam, the island's natural resources, and infrastructure. The EIS process identifies ways to implement the proposed relocation while minimizing adverse impacts. DoD will continue to work with the people and Government of Guam to ensure that the short-term impacts of construction are managed effectively and that the long-term effects of the military relocation reflect DoD policies to be good neighbors and responsible citizens on Guam.

February 16, 2010

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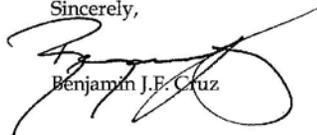
Re: Volume 7 Chapter 4 Cumulative Impacts

**4.3.4.1 Guam Cumulative Impacts Assessment**

Without site specific terrestrial biology data for all the proposed development areas, the assumption is that all projects would adversely impact terrestrial biological resources. The preferred alternatives would have an additive cumulative impact that is considered strong because of the magnitude of area disturbed. Most developments would increase demand on utilities and use of specific roadways. The preferred alternatives would have an additive adverse impact on utilities and roadways. The additive impact would be strong due to the large population increase on island.

**K-113-001** **Comment:** In reading the DEIS, I have not found a comprehensive mitigation plan for limiting or preventing environmental damage to coral reefs, terrestrial areas, or the aquifer. DoD does not describe a method for funding GovGuam agencies with appropriate funds for staffing and equipment. Nothing in the DEIS supports bringing qualified medical practitioners, psychologists, legal assistance or scientists into Guam for the increased demands from a massive population growth. The DEIS does not outline new grant opportunities for Guam agencies in light of the proposed military buildup. Furthermore, the statement in the table above asserts that the impact the military buildup and population increase will have on the environment, habitat, utilities, roadways, and general GovGuam agencies will be adverse. Until a new DEIS is written that proposes funding to all GovGuam agencies and a complete comprehensive environmental analysis of the military buildups impact on Guam that includes proper mitigation, I recommend No Action for the proposed military buildup.

Sincerely,



Benjamin J.F. Cruz

**K-113-001**

Thank you for your comment. Mitigation measures identified during the NEPA environmental review process to avoid or reduce impacts are identified in the EIS and listed in Volume 7, Chapter 2. As documented in this EIS, DoD acknowledges the existing sub-standard conditions of key public infrastructure systems and social services on Guam and the interest to have DoD fund improvements to these systems and services. DoD's ability to fund actions is limited by Federal law. However, to minimize adverse impacts associated with the proposed military relocation program, DoD is leading a federal inter-agency effort to identify other Federal programs and funding sources that could benefit the people of Guam.



February 16, 2010

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Attention: GPMO

**Re: Volume 1 Chapter 2 Overview of Proposed Actions and Alternatives**

Construction debris that is not recycled would be directed to Guam Environmental Protection Agency-approved landfills. Grading generally would not create excess material. All clean soil and rock would likely be used on the originating site. Additionally, where possible, soil and rock would be stockpiled and used for other DoD construction projects. Reuse of the concrete, plant materials, clean soil, topsoil, and rock would constitute cost savings as well as promote recycling.

K-114-001

**Comment:** The DEIS must address medical and dental wastes such as chemical solutions, x-ray processing wastes, sterilizing solutions (Glutaraldehyde and orthophthaldehyde), formalin, biohazardous wastes, lead foil film backing, mercury, scrap dental amalgam, fluorescent tubes, and batteries. Until this request is met, I recommend No Action for the proposed military buildup.

Sincerely,

Benjamin J.F. Cruz

**K-114-001**

Thank you for your comment. The DoD is committed to the protection and responsible stewardship of the environment. In addition, the DoD is committed to the safe handling and use of all hazardous substances, including fuels, lubricants, solvents, munitions and explosives of concern (MEC), nuclear materials, pesticides, herbicides, PCBs, nuclear materials, medical and dental wastes, and other hazardous substances. In fact, when feasible, the DoD attempts to reduce or eliminate the use of various hazardous substances to the greatest extent possible and substituting them for less toxic substances. When using hazardous substances, environmental laws and regulations (e.g., RCRA) must be followed by DoD that are designed to be protective of human health, welfare, and the environment. In order to implement these laws and regulations, DoD has developed various procedures, protocol, and directives designed to proactively eliminate or minimize the inadvertent leakage, spill or release of pollutants to the environment. These actions involve comprehensive administrative, engineering, and operations mandates, best management practices (BMPs), standard operating procedures (SOPs), and controls in place to prevent or minimize the inadvertent leakage, spill, or release of hazardous/toxic substances. These BMPs, SOPs, and other controls are fully described in the EIS document (Volume 7). Note that BMPs and SOPs are not considered "mitigation measures" because these actions are being done as part of existing laws and regulations and not as part of new "mitigation". However, if a leak, release, or spill is suspected or confirmed, aggressive mitigation measures are used to first clean up the leak, spill, or release as quickly as possible, followed by an assessment of risks to the public and/or the environment and a plan to remediate these risk concerns to within regulatory acceptable levels. These actions generally include environmental media (e.g., groundwater, surface water, soil, air, and/or biota) sampling and monitoring to ensure that and hazards are mitigated quickly and effectively.

In many cases, part of remediation plan includes the requirement to perform regularly scheduled long-term sampling and monitoring of environmental media to ensure that remedial actions have been effective. If long-term monitoring indicates that risks to human health or the environment are still unacceptable, more aggressive remediation approaches are considered. In fact, many such clean-up efforts are underway. As part of the clean-up process, the DoD provides various opportunities for the general public, stakeholders, and other interested parties to get involved in the process. One such opportunity is Restoration Advisory Boards (RABs) where interested party questions and concerns may be communicated. These comprehensive actions (e.g., BMPs, SOPs, etc.) will protect public health, welfare, and the environment from adverse impacts associated with the use of hazardous substances.

February 16, 2010

JGPO c/o NAVFAC Pacific  
258 Makalapa Drive, Suite 100  
Pearl Harbor, HI 96860-3134  
Attention: GPMO

**Re: Volume 1 Chapter 2 Overview of Proposed Actions and Alternatives**

Typically, a visiting ESG would include three ships carrying amphibious vehicles, equipment, and personnel designed to support amphibious operations and an additional four surface combatant ships that escort the amphibious ships. The visiting ships and units involved in training exercises would berth at Apra Harbor for short periods.

K-115-001

**Comment:** The DEIS must describe the management of all ship-generated waste including sewage, cargo residues, and residue other than cargo residue. The disposal of this waste stream may only be offered to reception facilities suitable for receiving ship-generated waste or cargo residuals which have a valid Guam EPA Solid Waste Management Facility Permit. This shall include fixed facilities as well as floating mobile units. Wastes classified as a hazardous waste must be managed according to Guam's Hazardous Waste Management Regulations. Until this request is met, I recommend No Action for the proposed military buildup.

Sincerely,



Benjamin J.F. Cruz

**K-115-001**

Thank you for your comment. Solid and hazardous waste will be managed as discussed in Volume 4, Chapter 2, Sections 2.5.2.2 and 2.6.2.3. Solid waste will be disposed only at facilities that have GEPA solid waste permits. Hazardous waste would be managed in accordance with Navy standard operating procedures and the Navy RCRA permit would be modified to consider the additional volume of waste. Additionally the increase in hazardous materials would be handled and disposed of per applicable best management practices as described in Volume 7. Volume 4, Chapter 17 contains a description of the types and quantities of hazardous waste that would be generated from the proposed action.

February 16, 2010

JGPO c/o NAVFAC Pacific  
258 Makalapa Drive, Suite 100  
Pearl Harbor, HI 96860-3134  
Attention: GPMO

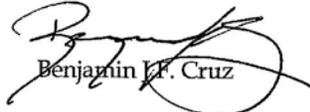
**Re: Volume 1 Chapter 2 Overview of Proposed Actions and Alternatives**

The alternatives presented may be either interim alternatives to meet immediate needs; basic alternatives to meet both immediate and long term needs; and long term alternatives that would meet needs beyond the temporary surge of the proposed relocation. In addition, while interim and basic alternatives are addressed with known or project-specific information, long term alternatives are dealt with more generally at programmatic level.

K-116-001

Each of the volumes of the DEIS describe general activities related to the main components of the Proposed Actions. Considering the lack of specific information on the materials used, the impact of solid, toxic and hazardous waste management has not been provided and therefore cannot be adequately evaluated for each of the specific activities described in the volumes. Therefore, to facilitate clarity and consistency, I recommend a separate Solid Waste Management and Disposal Plan. This plan must include a waste composition study to address the anticipated wastes associated with each activity, its impact to the existing management options, and how the waste streams will be managed. Until this request is met, I recommend No Action for the proposed military buildup.

Sincerely,



Benjamin J.E. Cruz

**K-116-001**

Thank you for your comment. DoD has prepared the Guam Solid Waste Utility Study that looks at the existing and projected solid waste volumes generated from the future Marine Corp buildup. Estimates for this Utility Study were developed using Marine Corps Base (MCB) Hawaii, Kaneohe Bay (KB) solid waste characterization analysis. Solid waste generation activities for military installation on Guam and MCB Hawaii-KB are similar. Both military installations have similar facilities including maintenance shops, administrative offices, commissary and exchange facilities, fast-food establishments, club operations, family housing and unaccompanied personnel housing. The results of the solid waste characterization study will be incorporated into the FEIS.

The DoD has also prepared a Construction and Demolition (C&D) Debris Reuse and Diversion Study which addresses the anticipated waste streams during the demolition of old buildings and construction of new facilities identified in the EIS. The study also addresses green waste that will be generated from clearing many acres of vegetation. The goal of the study is to divert 50% of the C&D debris by the end of fiscal year 2015.

The non-DoD project solid waste volumes will be handled in accordance with the existing Guam Integrated Solid Waste Management Plan (ISWMP). GBB is expediting the closure of Ordot and the opening of Layon in the most expeditious manner possible.

DoD is in the process of updating the military Integrated Solid Waste Management Plan (ISWMP) to reflect how waste will be managed now and in the future. The updated DoD ISWMP will include any new information from studies and reports that have been conducted as part of the NEPA process.

February 16, 2010

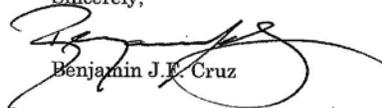
JGPO c/o NAVFAC Pacific  
258 Makalapa Drive, Suite 100  
Pearl Harbor, HI 96860-3134  
Attention: GPMO

**Re: Volume 2 Chapter 16.2.2.4 Increase in Overall Crime**

It appears that the military operational component would have little impact on overall crime rates.  
...the best reliable predictor for an increase in overall crime on Guam once the Marine Corps personnel are relocated is provided by the information on arrests of SOFA personnel while on Okinawa.

**K-117-001** **Comment:** Studies have been conducted on the issue of crime in the armed forces. While the results vary, the data should have been used as a resource as some show that an increase in crime is likely. I disagree that Okinawa arrest statistics is the best indicator.

Sincerely,



Benjamin J.F. Cruz

### **K-117-001**

Thank you for your comment. There are many reasons why the Marines (about half) are being moved from Okinawa. This discussion is provided in section 3.5.2 of the Socioeconomic Impact Assessment Study (SIAS) that is in Appendix F, Volume 9 of the Draft EIS. Serious crimes by military personnel in Okinawa are committed at a lower rate than the overall civilian population in Okinawa, despite reports to the contrary. Many serious crimes are based on singular incidents that are reported multiple times so that it appears to be multiple incidents.

The impacts of crimes on Guam are discussed in Volume 2 of the FEIS. As noted in the SIAS: "A critical distinction when analyzing crime impacts is between the total numbers of crimes ("volume of crime") and the actual crime rate (numbers divided by population). Population increases always bring with them increases in the volume of crime, but the crime rate would increase only if new populations are disproportionately likely to commit crimes." The discussion in the EIS is based on the best available information; during the DEIS review period, additional information on crime was found and included in the Final EIS.

The DoD acknowledges that any increase in population, such as the one that these proposed actions would cause, may be accompanied by a proportionate increase in crime and social disorder. The DoD also acknowledges that widely publicized instances of military crime in Okinawa cause Guam residents to be concerned about possible repercussions on the island brought about by the increase in military population on Guam. The increase in population during the construction phase of the build up is recognized as a time for concern for increases in incidents of crime. Moreover, it is also acknowledged that the age group of many military personnel is often characterized as prone to conflicts and misbehavior. DoD educates its service men and woman on good behavior and will act promptly and rigorously to curtail any misconduct and enforce laws to protect the citizens of Guam and our military

personnel.



February 16, 2010

JGPO c/o NAVFAC Pacific  
258 Makalapa Drive, Suite 100  
Pearl Harbor, HI 96860-3134  
Attention: GPMO

**Re: Volume 2 Chapter Public Education Impacts Page 16-69**

Administrators believe that the expansion of the DDESS system to meet the increasing educational needs of Guam's military population might siphon off GPSS teachers.

**K-118-001** **Comment:** The starting salary for a Guam public school certified teacher is about \$26,000 a year. According to the January 3, 2010 DDESS Guam teacher pay scale, the starting salary for a DDESS teacher on Guam is \$40,425 a year. Further, the cost per DDESS student is over \$10,000 per year which is considerably more than the LEA average of about \$6,000 per year. The difference in salaries aside, much of this amount accounts for the better working conditions in DDESS schools.

Experience has shown that Guam public school teachers have left GDOE for teaching positions with DDESS both for better pay and for better working conditions. There is no reason to believe that GDOE teachers will not act similarly. This, coupled with the severe shortage of teachers GDOE will experience resulting from the massive population increase caused by the buildup, will cripple our public school system.

Sincerely,

Benjamin J.F. Cruz

**K-118-001**

Thank you for your comment. The Final EIS has been updated (Volume 2) to better address impacts on social services.

As documented in this EIS, DoD acknowledges the existing sub-standard conditions of key public infrastructure systems and social services on Guam and the interest to have DoD fund improvements to these systems and services. DoD's ability to fund actions is limited by Federal law. However, to minimize adverse impacts associated with the proposed military relocation program, DoD is leading a federal inter-agency effort to identify other Federal programs and funding sources that could benefit the people of Guam.

It is anticipated that most of the teaching positions for the proposed DoD schools would be filled by existing civilian military workers transferring from Okinawa or elsewhere. However, should openings be filled on Guam, the position would be advertised and hiring per civil service requirements be used. Applications for these teaching positions is an individual decision.



February 16, 2010

JGPO c/o NAVFAC Pacific  
258 Makalapa Drive, Suite 100  
Pearl Harbor, HI 96860-3134  
Attention: GPMO

**K-119-001** | **Re: Volume 7 Chapter 3 Preferred Alternatives: Summary of Impacts**

Population growth associated with the preferred alternatives would increase the number of uninsured and underinsured people attempting to access the free services of public health and social services agencies. Without a substantial increase in staff and other resources, this increase in demand for GDPHSS and GDMHSA would strain existing services and therefore have a significant but mitigable disproportionate impact to the low-income population of Guam.

**Comment:** Considering that this is a preferred alternative, I must inquire how DoD plans to mitigate the strain uninsured and underinsured people will have on free health and social services agencies. As DoD is bringing the military buildup to Guam, it is important for DoD to provide funding for additional clinics placed conveniently in Guam's most populated villages or on their borders. Funding from DoD to provide applicable equipment for health and social service agencies is necessary. DoD must provide a comprehensive employment package with a competitive salary to bring off island medical practitioners, nurses, and psychologists to Guam. As DoD provides no clear method for mitigating the strain Guam's health and social services stand to incur, I recommend No Action for the proposed military buildup.

Sincerely,

  
Benjamin J.F. Cruz

**K-119-001**

Thank you for your comment. As documented in this EIS, DoD acknowledges the existing sub-standard conditions of key public infrastructure systems and social services on Guam and the interest to have DoD fund improvements to these systems and services. DoD's ability to fund actions is limited by federal law. However, to minimize adverse impacts associated with the proposed military relocation program, DoD is leading a federal inter-agency effort to identify other federal programs and funding sources that could benefit the people of Guam.

February 16, 2010

JGPO c/o NAVFAC Pacific  
258 Makalapa Drive, Suite 100  
Pearl Harbor, HI 96860-3134  
Attention: GPMP

**K-120-001 Re: Volume 7 Chapter 3 Preferred Alternatives: Summary of Impacts**

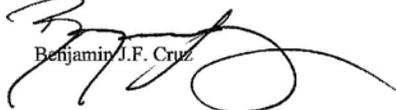
From 2000 to 2008, the population of Guam rose approximately 1.6% on an average annual basis. This growth in population and subsequent commercial development resulted in an increased demand for the transportation, handling, use, and disposal of hazardous substances.

**Comment:** Guam's organic population will increase along with the proposed military buildup. By 2020, the addition of 39,000 service personnel, their families, and existing labor support will increase Guam's current population of 178,430 by 14%. Overall, the population on Guam by 2020 will be nearly 220,000 people.

This population increase will substantially increase hazardous substances from ports, hospitals, automobile repair businesses, automobile junkyards, gas stations, general industrial operations, Navy ships, utilities companies, and general household chemical waste. The Guam Environmental Protection Agency (GEPA) created the Hazardous Waste Management Program to collect, treat, store, and dispose of hazardous substances. However, the population increase ensures that an already understaffed GEPA will be tasked with additional work directly related to hazardous waste disposal.

The DEIS does not provide a clear outline for mitigating hazardous waste as the population increases. I recommend that DoD fund GEPA for personnel and expansion of their Hazardous Waste Management Program. I recommend that DoD provide clear information related to the hazardous waste their land and sea going machinery will generate. I recommend that DoD and GEPA work together to provide a brochure/pamphlet that provides information on hazardous waste and its permitting, storage, treatment, and disposal. Until these requests are met, I recommend No Action for the proposed military buildup.

Sincerely,



Benjamin J.F. Cruz

**K-120-001**

Thank you for your comment. Throughout Volume 2, chapter 17 the potential impacts and environmental consequences regarding the possible increase in population to Guam have been discussed.

The DoD is committed to the protection and responsible stewardship of the environment. In addition, the DoD is committed to the safe handling and use of all hazardous substances, including fuels, lubricants, solvents, munitions and explosives of concern (MEC), nuclear materials, pesticides, herbicides, PCBs, nuclear materials, and other hazardous substances. In fact, when feasible, the DoD attempts to reduce or eliminate the use of various hazardous substances to the greatest extent possible and substituting them for less toxic substances. When using hazardous substances, environmental laws and regulations (e.g., RCRA) must be followed by DoD that are designed to be protective of human health, welfare, and the environment. In order to implement these laws and regulations, DoD has developed various procedures, protocol, and directives designed to proactively eliminate or minimize the inadvertent leakage, spill or release of pollutants to the environment. These actions involve comprehensive administrative, engineering, and operations mandates, best management practices (BMPs), standard operating procedures (SOPs), and controls in place to prevent or minimize the inadvertent leakage, spill, or release of hazardous/toxic substances. These BMPs, SOPs, and other controls are fully described in the EIS document (Volume 7). Note that BMPs and SOPs are not considered "mitigation measures" because these actions are being done as part of existing laws and regulations and not as part of new "mitigation". However, if a leak, release, or spill is suspected or confirmed, aggressive mitigation measures are used to first clean up the leak, spill, or release as quickly as possible, followed by an assessment of risks to the public and/or the environment and a plan to remediate these risk concerns to within regulatory acceptable levels.

These actions generally include environmental media (e.g., groundwater, surface water, soil, air, and/or biota) sampling and monitoring to ensure that hazards are mitigated quickly and effectively. In many cases, part of remediation plan includes the requirement to perform regularly scheduled long-term sampling and monitoring of environmental media to ensure that remedial actions have been effective. If long-term monitoring indicates that risks to human health or the environment are still unacceptable, more aggressive remediation approaches are considered. In fact, many such clean-up efforts are underway. As part of the clean-up process, the DoD provides various opportunities for the general public, stakeholders, and other interested parties to get involved in the process. One such opportunity is Restoration Advisory Boards (RABs) where interested party questions and concerns may be communicated. These comprehensive actions (e.g., BMPs, SOPs, etc.) will protect public health, welfare, and the environment from adverse impacts associated with the use of hazardous substances.



February 16, 2010

JGPO c/o NAVFAC Pacific  
258 Makalapa Drive, Suite 100  
Pearl Harbor, HI 96860-3134  
Attention: GPMO

**K-121-001 Re: Volume 7 Chapter 3 Preferred Alternatives: Summary of Impacts**

The proposed activities that would have an impact on navigation are: 1) the relocation of the buoys, 2) the relocation of the range lights for Outer Apra Harbor, 3) the security barrier installed around the aircraft carrier, and 4) restrictions on navigation during aircraft carrier transits into and out of Apra Harbor in accordance with security requirements. This activity would result in less than significant impacts to marine transportation.

**Comment:** This is an understated claim rooted in the presupposition that destroying the equivalent of 21 Micronesia Malls of Apra Harbor coral reef is acceptable. Buoys may cause irreparable harm to the ocean and reef due to Tributyltin (TBT). TBT's are the active ingredient of many products that act as biocides against a broad range of organisms. It is primarily used as an antifoulant paint additive on ship and boat hulls, docks, fishnets, and buoys to discourage the growth of marine organisms such as barnacles, bacteria, tubeworms, mussels and algae. Range lights are problematic because they may interfere with the habitat and environment of green and hawksbill turtles. A security barrier around the aircraft carrier may be coated in TBT laced antifoulant paints to protect it from erosion.

The DEIS does not provide a viable study for how TBT coated buoys, aircraft carriers hulls, security barriers, and docks will affect the environment. The DEIS does not provide information related to habitat and environmental damage the green and hawksbill turtles or other ocean fauna and flora may encounter due to range lights. As these concerns are not addressed in the DEIS, I suggest a definitive rewrite of the entire DEIS in relation to these concerns. Until these requests are met, I recommend No Action for the proposed military buildup.

Sincerely,

Benjamin J.F. Cruz

**K-121-001**

Thank you for your comment.

Adverse effects on the farming of oysters and other effects resulted in a ban on TBT on ships <25 m in France in 1982. The USA and the UK followed in 1988 and many other European countries around 1990.

Sediment samples within the proposed dredging areas were analyzed according to U.S. Environmental Protection Agency and U.S. Army Corps of Engineers testing criteria, which includes organotins. As discussed in the EIS (Chapters 2 and 4 of Volumes 2 and 4), preliminary sampling results indicate that all contaminant parameters that were tested, with the exception of nickel, were below the Effects Range Low (ER-L) level. Nickel is a substance that is naturally occurring in the environment. The study results suggest that the materials to be dredged would not require special handling and would be suitable for upland placement for beneficial reuse or ocean disposal (although the ocean disposal permitting process would require separate analysis and toxicity testing). Additional testing will occur during the permitting process and a dredged material management plan will be developed.

TBT leachate or resuspension during dredging is not considered an issue for the proposed action due the explanation above.

The firing ranges associated with the proposed action are located on cliffs above the marine waters, and therefore will have no effect on nesting sea turtles or hatchlings. The impacts of range lights and other potential impacts have been evaluated for other resources. The FEIS text has been reviewed and revised accordingly based on this comment.

February 16, 2010

JGPO c/o NAVFAC Pacific  
258 Makalapa Drive, Suite 100  
Pearl Harbor, HI 96860-3134  
Attention: GPMO

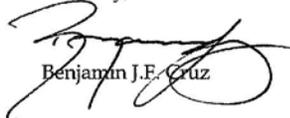
**K-122-001** Re: Volume 7 Chapter 3 Preferred Alternatives: Summary of Impacts

**3.5 SUMMARY OF CLEAN WATER ACT SECTION 404 ACTIONS - ALL  
PROPOSED ACTIONS AND ALTERNATIVES**

Potential impacts to coastal caves due to the fresh water level fluctuations in the aquifer were identified as potential impacts to jurisdictional waters, but there is insufficient data to assess potential impacts.

**Comment:** If this is part of a proposed action then the information is sorely lacking. Therefore, moving forward with the military buildup should be halted until potential impacts related to costal caves and fresh water fluctuations in the aquifer are identified. I recommend a revised DEIS written to outline the impacts erosion, runoff, rainfall, radiation, silt from dumped dredged sediment, changing tides, toxic pollutants, and the condensation process within costal caves will have in relation to fresh water level fluctuations and our aquifer. A new DEIS should provide information based on clearly defined evidence from a myriad of reliable scientific sources for preventing pollution of our aquifers. Until these requests are met, I recommend No Action for the proposed military buildup.

Sincerely,



Benjamin J.F. Cruz

**K-122-001**

Thank you for your comment. The Final EIS contains an updated analysis on potential impacts to coastal caves.

February 16, 2010

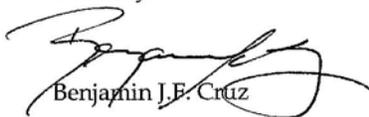
Joint Guam Program Office  
c/o NAVFAC Pacific,  
258 Makalapa Drive Suite 100,  
Pearl Harbor, HI 96860-3134,  
Attention: GPMO

K-123-001 | **Re: Recreation, Volume 7**

Loss of access to and use of recreational resources, such as the Guam International Raceway Park, Marbo Cave, Pagat Trail, and associated trails in the vicinity, cultural gathering activities (suruhana), and offshore fishing near Marbo Cave, would have a disproportionate effect on minority groups that would be significant and unmitigable ... So no action would facilitate the continued existence and accessibility of several cultural and historic resources valued by residents of Guam.

**Comment:** That the Draft Environmental Impact Statement clearly says in Volume 7, loss of access to and use of recreational resources would be immitigable and have significant effects, I recommend NO ACTION.

Sincerely,



Benjamin J.F. Cruz

**K-123-001**

Thank you for your comment. DoD recognizes the importance of reducing adverse effects on the people of Guam, its natural resources, and infrastructure. The EIS process identifies ways to implement the proposed relocation while minimizing adverse impacts. DoD will continue to ensure that the short-term impacts of construction are managed effectively and that the long-term effects of the military relocation reflect DoD policies to be good neighbors and responsible citizens on Guam. DoD understands and recognizes the significance of access to cultural sites located on DoD property in Guam. Restricting access to certain DoD areas at certain times is required to maintain public safety. It is the intent of DoD to maintain public access to DoD lands that contain cultural sites consistent with safety and operational requirements. Access will be granted at approved times such as when the lands are not being used for military training. Final plans concerning access to sites potentially impacted by the proposed action have not been developed. DoD looks forward to working with stakeholders to develop plans for cultural stewardship and access that balances operational needs, public safety concerns, and the continuing public use and enjoyment of these sites.

February 16, 2010

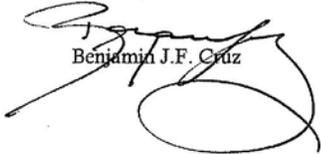
JGPO c/o NAVFAC Pacific  
258 Makalapa Drive, Suite 100  
Pearl Harbor, HI 96860-3134  
Attention: GPMO

K-124-001 | Re: Volume 2 Chapter 16.1.5.5

Agencies Affected by Development on Guam

**Comment:** The Guam Judiciary is not included as an affected agency. Be assured that, with the dollar amounts of the many contracts that will be entered into for the buildup, conflicts will occur. Many of these conflicts inevitably will be settled in court. This error must be addressed the Final EIS.

Sincerely,



Benjamin J.F. Cruz

**K-124-001**

Thank you for your comment. Please see Section 3.4.4.3 of the Socioeconomic Impact Assessment Study (Appendix F, Volume 9 of the DEIS) for analysis of the potential impacts on Judiciary of Guam.



February 16, 2010

Joint Guam Program Office  
c/o NAVFAC Pacific,  
258 Makalapa Drive Suite 100,  
Pearl Harbor, HI 96860-3134,  
Attention: GPMO

K-125-001 **Re: Water Resources, Volume 7, 2-45**

One mitigation approach to eliminating this deficit would be to slow the construction tempo and reduce the rate of increase in construction workers and induced civilian population. As previously established, for each \$10 M reduction in construction work, there would be an estimated reduction of 75 construction workers and associated 99 induced population reduction, which would result in 3,263 gpd (0.003263 MGd) reduction for every \$1M of construction. To achieve a reduction of 6.1 MGd (23 mld), DoD would need to reduce construction tempo by approximately \$1.9B in that year. This level of impact to the construction tempo would likely not be acceptable and a variety of mitigations would be adopted, in addition to construction tempo adaptive management.

**Comment:** The Draft Environmental Impact Statement should have included in detail the "variety of mitigations" that would be adopted since the "level of impact to the construction tempo would likely not be acceptable."

Here, and in many other areas of the DEIS, the Department of Defense admits to the futility of its mitigation plans.

I recommend an entirely new DEIS be provided that includes all of this and other such information sorely lacking from the present document on which we have been invited to comment over a 90-day period. To propose a buildup that would drain us of our water resource is unacceptable. To have presented a contingency plan that DOD already knows won't work is unconscionable.

Sincerely,

Benjamin J.F. Cruz

**K-125-001**

Thank you for your comment. Up to 22 new water supply wells are proposed to provide additional capacity for the DoD water system. These wells would be installed in Northern Guam and extract potable water from the northern Guam lens aquifer. Operations at Fena Reservoir would not be modified at this time. The estimated sustainable yield from the northern Guam lens aquifer is estimated at approximately 80 million gallons per day. Aquifer sustainable yield is the amount of water that can continuously be withdrawn from groundwater sources without degrading water quality or viable production water. The estimated total average daily water demand from this aquifer is 63 million gallons per day at the peak of construction of the proposed DoD buildup. Thus, there will be an adequate supply of potable water. DoD and Guam Waterworks Authority plan to jointly manage the production of water. Also DoD is an advocate for grants and low cost loans to Guam Waterworks Authority so they can improve their distribution system and reduce water loss due to leaks. The Guam Water Authority (GWA) and DoD are cooperatively working together to plan for the expected increase in population on Guam. DoD has agreed to drill the 22 new DoD water supply wells early, and provide this water to GWA, along with excess water from DoD's Fena Reservoir, to meet the near-term increase in water demand that is expected to occur off-base during the construction phase of the buildup. During this time, GWA will make improvements to their system to meet the long-term water needs of off-base communities. The net positive affect of this strategy is that DOD shoulders the cost to supply early buildup water demand, especially the demand associated with the temporary construction workforce.

February 16, 2010

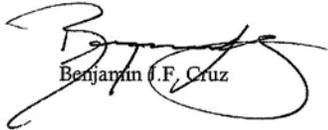
Joint Guam Program Office  
c/o NAVFAC Pacific,  
258 Makalapa Drive Suite 100,  
Pearl Harbor, HI 96860-3134,  
Attention: GPMO

K-126-001 Re: Judiciary, Volume 2, 16-82

The Judiciary's 2009 budget was cut by 10% and the agency has begun to implement a range of cost-cutting measures including a delay in the opening of its satellite center, a hiring freeze, and monitoring and reducing operating expenses.

**Comment:** The population that is serviced by the Guam Judiciary is projected to increase by 41 percent in just four years due to the military buildup. The Judiciary is hard pressed to keep up with the demands of the current population. Absent a commitment by the federal government to fully fund the Judiciary's preparation activities, the Judiciary will be unable to meet the needs of the buildup. Should the Final EIS not address the Judiciary's funding needs, my recommendation regarding the buildup is NO ACTION.

Sincerely,



Benjamin J.F. Cruz

**K-126-001**

Thank you for your comment. As documented in this EIS, DoD acknowledges the existing sub-standard conditions of key public infrastructure systems and social services on Guam and the interest to have DoD fund improvements to these systems and services. DoD's ability to fund actions is limited by Federal law. However, to minimize adverse impacts associated with the proposed military relocation program, DoD is leading a federal inter-agency effort to identify other Federal programs and funding sources that could benefit the people of Guam.

February 16, 2010

Joint Guam Program Office  
c/o NAVFAC Pacific,  
258 Makalapa Drive Suite 100,  
Pearl Harbor, HI 96860-3134,  
Attention: GPMO

**Re: Delay Construction of Wells Until Phase I of USGS Study is Complete**

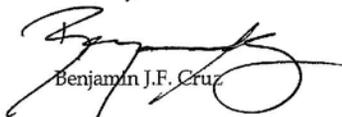
2.2.5.6 Northern Guam Lens Aquifer (NGLA) GWUDI Evaluation  
Groundwater under the direct influence of surface water is groundwater with inadequate natural filtration when surface water filters through soils into the groundwater table (called "recharge"). This inadequate filtration through soils may lead to contamination of the groundwater from bacteria or contaminants in the soils. GEPA is currently conducting a study to determine if wells extracting water from the NGLA are GWUDI. Soils in northern Guam are highly porous, and past sampling has indicated that contaminants may enter the aquifer during sewer pump station spills and rain events. If portions of the aquifer sub-basins are identified as GWUDI well, then treatment requirements may be imposed on individual wells that includes filtration and/or disinfection.  
The results of the GEPA study are expected in late 2010. This DEIS/OEIS is developed assuming that the proposed and existing DoD wells are not subject to GWUDI. If the GWUDI determination is made in the future for the DoD well, a separate NEPA document would be developed to address the additional water treatment requirements.

2.2.5.7 USGS NGLA Study  
DoD plans to support a USGS study of the NGLA that would include a state-of-the-art groundwater model and verification of the sustainable yield on all relevant and available site-specific data collected to date. The study would not be completed for 3-5 years. Given this time frame, the model is expected to be used in the long-term maintenance of the NGLA groundwater resource. If possible, a preliminary analysis using a finer grid model in the area of the proposed well locations as a tool for well siting.

**K-127-001 Comment:** I recommend that the Department of Defense delay construction of its proposed 22 new wells until at least the first phase of the study is conducted by the United States Geological Survey.

The Northern Guam Lens Aquifer delivers our most precious resource and any further intrusions must be executed with caution and delicacy.

Sincerely,



Benjamin J.F. Cruz

**K-127-001**

Thank you for your comment. DoD acknowledges the 1991/2 sustainable yield study is almost 20 years old. For that reason, DoD had the Water and Environmental Research Institute (WERI) of the University of Guam review that report and render an opinion if the assumptions it used are still valid today. That review was performed and the conclusion drawn was that yes those assumptions are still valid. The DoD has committed to support the USGS modeling of the aquifer, which is estimated to take at least 3 years. This model will assist in aquifer management, however would be completed too late to support the early phases of expansion of the extraction well system. In the interim while the USGS model is being developed, DoD will fund an update to the 1992 model to allow for data that has been collected on subaquifers in the northern part of Guam to be added to the data assessed for aquifer sustainability DoD has proposed to GWA to jointly manage the aquifer with input from experts, including USGS and WERI. This coordination with Northern Guam Lens Aquifer experts will provide a way for the best science and scientist to make decisions that will protect the aquifer. DoD shares your concern over aquifer management.

February 16, 2010

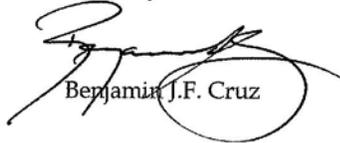
Joint Guam Program Office  
c/o NAVFAC Pacific,  
258 Makalapa Drive Suite 100,  
Pearl Harbor, HI 96860-3134,  
Attention: GPMO

**Re: A green recommendation to the proposed 22 new wells**

**K-128-001** **Comment:** Since the source of TCE/PCE contamination in Guam's water was determined to have been caused by military activity, I recommend the Department of Defense locate the sites of this contamination, drill a number of its wells over these sites, and install and maintain the treatment technology available that has already been proven successful on Guam.

Should this buildup occur, we will be sharing water resources and will become extremely close neighbors. It would behoove the Department of Defense to do all that it can to ensure that the basic needs of all of Guam's residents (current and future) are met and that harmony may exist in equitable quality of life.

Sincerely,



Benjamin J.F. Cruz

**K-128-001**

Thank you for your comment. However, GEPA regulations restrict new potable wells from being sited in areas where contamination exists. DoD will continue to comply with the Records of Decision governing remedial activities at sites with groundwater solvents contamination where DoD has been determined to be the source.



February 17, 2010

JGPO c/o NAVFAC Pacific  
258 Makalapa Drive, Suite 100  
Pearl Harbor, HI 96860-3134  
Attention: GPMO

**Re: Volume 7 Chapter 3.3.14 Related Actions (Utilities and Traffic) Page 3-50**

Solid waste would be collected and returned with the using unit, pending establishment of a certified landfill on Tinian. Solid waste would be back-hauled to Guam, and the DoD would not dispose of solid waste at the open dump operated by the CNMI Department of Public Works.

**K-129-001**

**Comment:** It is uncertain when or if Tinian will have a certified landfill. As DoD is to be a customer of the landfill currently under construction on Guam, I am concerned over the impact the additional solid waste from Tinian will have on the useful life of the new Guam landfill. The Dandan landfill has a 30 year life span based on the existing population and organic growth. The waste generated by the tremendous amount of construction activity related to the buildup and waste generated due to the drastic population increase will shorten the life of the Dandan landfill. Waste from Tinian will only aggravate the situation.

Sincerely,

Benjamin J.F. Cruz

**K-129-001**

Thank you for your comment. The training intensity on Tinian would be fairly small, a maximum of 400 people for one week a month. Those 400 people would be on bivouac style training and would be absent from Guam. It would be expected that bivouac style training would generate less solid waste than a person remaining on Guam, thus the impact of this training to the solid waste disposal on Guam would actually be a reduction. DoD does not feel this would be a major impact to the overall solid waste situation on Guam. Volume 6 chapter 3 section 3.2.5.1 page 3-61 third paragraph projects that with the proposed DoD buildup, the Layon Landfill would still have an estimated 33 year life.

February 17, 2010

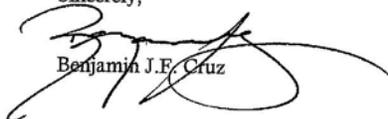
JGPO c/o NAVFAC Pacific  
258 Makalapa Drive, Suite 100  
Pearl Harbor, HI 96860-3134  
Attention: GPMO

Re: **Volume 7 Chapter 3.3.15.3 Comparison of Preferred Alternatives to No Action Sociocultural Impacts Chamorro Issues Page 3-63**

However, an expansion in non-Chamorro voting population could eventually affect the proportion of Chamorro office-holders and government workers; thereby affecting the current government budgets and activities dedicated to cultural issues and practices. It could also affect outcomes of any future plebiscites about Guam's political status.

**K-130-001** **Comment:** The highlighted statement reflects either ignorance of, or complete disregard for, local law. It is further indication, found throughout the DEIS, that the DEIS was written behind some desk in the mainland U.S. without the benefit of facts commonly known on Guam.

Sincerely,



Benjamin J.E. Cruz

### K-130-001

Thank you for your comment. The DEIS identifies that there is a potential for the incoming population to have the ability to vote (almost all the military population would be U.S. citizens) like other Guam residents. Additional discussion on this issue is on page 4-130 of the SIAS. Given the opportunity to vote in local elections, there is a possibility that new candidates may choose to run for office and persuade the new population to vote for different leadership or causes. On the other hand, off-island U.S. construction workers, military and their dependents may choose not to vote in local elections, especially given their typically short tenure on the island. There was no attempt to state this as a probability, but only a possibility.

To be eligible to vote in Guam's elections, individuals must meet the following requirements:

- Not confined to a mental institution, nor judicially declared insane;
- Not serving a sentence of imprisonment;
- Citizen of the United States;
- Legal resident of Guam; and
- Eighteen (18) years of age by Election Day.

In the Guam 2008 elections there were nearly 50,000 registered voters.

February 17, 2010

JGPO c/o NAVFAC Pacific  
258 Makalapa Drive, Suite 100  
Pearl Harbor, HI 96860-3134  
Attention: GPMO

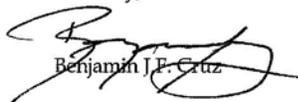
**Re: Volume 6 Chapter 13 Marine Biological Resources**

Table 13.2-7 describes the direct and indirect impacts for each type of roadway project (non-widening pavement strengthening, intersection improvements, projects that require vegetation removal [e.g. roadway widening, new road construction, and roadway realignment projects], military access point modification or construction, and bridge replacements).

**K-131-001**

**Comment:** 13.2-7 is an extensive table that misses key areas. Major haul road resurfacing, strengthening and rebuilding will be done without increasing existing impervious areas. Yet the roads stormwater runoff will pollute and degrade adjacent surface waters during operation after construction. This will have an indirect negative affect on living aquatic resources. The existing roads, especially Marine Corps Drive from Navy Orote facilities and from the Port Authority of Guam, were built without installation of best management practices to treat road pollutants before discharging them in stormwater to the surface waters. Even if impervious areas are not expanded, the pollutants from the rebuilt roads need to be controlled and treated. This must be accomplished in designing pollution controls for the road design, in proper construction, and in proper maintenance. The haul road plans fail to include designs and budgets for this pollution control. The DEIS should assess the impacts on aquatic and marine biological resources based on a lack of pollution control present in Table 13.2-7. As these obvious concerns regarding pollution remain unanalyzed with no mitigation factors, I recommend No Action for the proposed military buildup.

Sincerely,



Benjamin J.F. Cruz

**K-131-001**

Thank you for your comment. Table 13.2-7 describes potential impacts to marine biological resources from roadway projects based on the type of roadway projects. Alternative-specific impacts are discussed further in succeeding paragraphs of Chapter 13, Volume 6 of the EIS, along with associated Best Management Practices (BMPs) and mitigation measures. BMPs are required for FHWA-funded projects. BMPs and mitigation measures are project-specific designed to the individual project type and environmental context (e.g. adjacency to sensitive ecological areas, slope of surrounding terrain) and are being developed in a cooperative effort between GEPA, FHWA/DPW and the FHWA/DPW contractors.

February 17, 2010

JGPO c/o NAVFAC Pacific  
258 Makalapa Drive, Suite 100  
Pearl Harbor, HI 96860-3134  
Attention: GPMO

Re: **Volume 4 Chapter 2 Proposed Action and Alternatives**

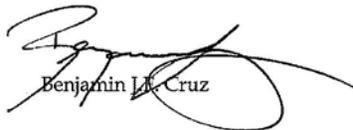
**Beneficial Reuse**

Between 1 and 1.1 million cubic yards (cy) (764,555 million cubic meters [m3]) of dredged material would be excavated from the Inner and Outer Apra Harbor for the proposed Navy and Marine Corps actions. The dredged material is expected to consist of a mixture of sediments including sand from the outer harbor and silts/clays from the inner harbor. Additionally, there would be coral fragments and other submerged rubble that would be included in the volume of dredged material.

K-132-001

**Comment:** I must emphasize that I do not support either mechanical or hydraulic dredging of Apra Harbor or any of Guam's coral reefs. Regarding dredged materials, beneficial uses should be extensively proposed and evaluated in the DEIS so that they receive higher priority over an Ocean Dredged Material Disposal Site. Dredge sediment, including fine-sediment, can be treated to use as well-performing building materials in addition to firing range berms, rehabilitation of quarries, landfill cover, and construction fill. DoD should sign a contract with the Port Authority of Guam to provide dredged material for dock construction. DoD should use dredged materials as part of a comprehensive plan to raise land levels to counter sea level rise. As the DEIS does not clearly define a method for aircraft carrier berthing without destroying endemic corals, ocean fauna and flora, the ocean ecosystem, or provide a viable method for utilizing dredged material, I recommend No Action for the proposed military buildup.

Sincerely,



Benjamin J.F. Cruz

**K-132-001**

Thank you for your comment. The DoD is considering several options for disposal of dredged material, including upland placement, ocean disposal, and beneficial uses such as shoreline stabilization, fill for berms, and fill for the Port Authority of Guam, as discussed in the EIS (Chapter 2, Volume 4). Using dredged material for beneficial reuse projects would depend upon the suitability of the material for these projects as well as whether the proposed action timeline coincides with the need for material for a reuse project. Detailed analysis cannot be done at this time because specific projects have not yet been identified with certainty. While beneficial reuse is a priority for the DoD, the final decision on dredged material management will be made during the final design and permitting process. Detailed analysis of the potential impacts from using dredged material for reuse projects will be conducted during the permitting phase. As identified in Volume 4, Section 11.2.2.5 - 11.2.2-7, federal law recognizes the value of irreplaceable marine resources and requires compensatory mitigation for unavoidable significant impacts to coral reef ecosystems.

The U.S. Army Corps of Engineers permits would likely contain requirements for silt curtains, biological monitoring, restrictions on dredging activities during potential coral spawning months, and compensatory mitigation. A detailed compensatory mitigation plan would be submitted as part of the Clean Water Act 404 permit application for construction affecting the navigable waters of the United States (including the CVN transient wharf). Due to the ongoing review of DoD's habitat assessment methodology for coral reef ecosystems and associated uncertainties regarding the scope of mitigation required, a detailed mitigation plan has not been developed nor will one be available for incorporation into the FEIS. However, a number of mitigation options, including watershed restoration and the use of artificial reefs, are discussed in programmatic nature in Volume 4, Section 11.2 of the FEIS. DoD recognizes that, as part of the CWA Sec. 404 permitting process,

additional NEPA documentation may be required to address specific permitting requirements and implementation of required compensatory mitigations.

February 17, 2010

JGPO c/o NAVFAC Pacific  
258 Makalapa Drive, Suite 100  
Pearl Harbor, HI 96860-3134  
Attention: GPMO

**Re: Volume 1: Overview, Page 2-34 – H2-B Worker Housing**

H-2B workers lived in residential compounds provided by their employers or by a subcontracted arrangement. Guam law states that if housing is provided by employers and available for H-2B workers, H-2B workers must live in the provided housing. This would include housing provided by logistics housing and service providers, if such housing was offered as part of the employment contract. This was the practice in the early 1990s, and would likely be so for the proposed actions.

**K-133-001 Comment:** Every effort should be made by the Department of Defense to ensure that its contractors house such workers in a manner that is not detrimental to Guam's infrastructure and environment.

Special attention should be given to utility (i.e. water, power, trash pickup, and sewer) requirements for worker barracks which may affect such services to existing residents. These impacts can be mitigated by requiring contractors to build their barracks within or closest to the fence of each military installation and away from populated areas. In fact, DoD should ensure that such housing facilities are constructed within its existing footprint.

Areas outside the fence should not be the dumping ground labor camp squalor, raising cause for concern over public health and safety.

Sincerely,



Benjamin J.F. Cruz

### K-133-001

Thank you for your comment. DoD would not house construction workers on military property. However, DoD would work with Government of Guam agencies and local stakeholders to minimize adverse effect associated with the proposed military relocation program, including the stipulations included in construction contracts that involve workforce housing. Volume 1 of the FEIS includes expanded discussion of workforce housing.



February 17, 2010

JGPO c/o NAVFAC Pacific  
258 Makalapa Drive, Suite 100  
Pearl Harbor, HI 96860-3134  
Attention: GPMO

**Re: Volume 2 Chapter 6 Noise**

Airfield Operations

*Andersen AFB Main Runway 06L/24R*

The primary source of aircraft noise in the northern part of Guam is Andersen AFB, which supports Air Mobility Command flights for military personnel and their dependents. Andersen AFB is home to the 36th Wing, the 734th Air Mobility Support Squadron, Navy Helicopter Squadron 25 (HSC-25), and several other tenant organizations. Commercial aircraft may occasionally fly through Andersen AFB airspace, but only with permission from the Andersen AFB control tower (see Chapter 7, Airspace).

K-134-001

**Comment:** Overland flight path-noise from aircraft operations from Anderson Air Force base, Northwest Field, various landing zones, and Orote would have a significant impact on residents and endangered species. This impact would increase dramatically during resting hours for residents and endangered species. This noise impact is not addressed in the DEIS and no alternatives are provided. Cumulative noise impacts on residents and endangered species are not discussed in the DEIS. No mitigation of noise is discussed in the DEIS. As these key elements related to noise remain unanswered in the DEIS, I recommend No Action for the proposed military buildup.

Sincerely,

Benjamin J.F. Cruz

**K-134-001**

Thank you for your comment. Noise associated with airlift, airdrop, and landing zone operations are described in Volume 2, Section 6.2 and referred to as Aviation Training. Flight paths from Andersen AFB to Northwest Field (NWF) are included in the noise contours shown on Figure 6.2-1. All other flight paths from Andersen AFB to the other training areas would occur over water. Aviation noise as a result of the USMC Relocation to Guam are such that mitigation is not required. Please refer to Volume 7, Chapter 4 for more details about the cumulative impact analysis.

February 17, 2010

JGPO c/o NAVFAC Pacific  
258 Makalapa Drive, Suite 100  
Pearl Harbor, HI 96860-3134  
Attention: GPMO

**Re: Volume 1 Chapter 2 Overview of Proposed Actions and Alternatives**

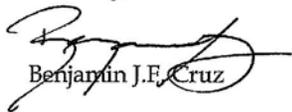
**Dredging at Sierra and Tango Wharves:**

The EIS/OEIS assumes mechanical dredging, which has been the standard practice for Apra Harbor. Other options include hydraulic dredging, but mechanical is perceived to be the environmentally most conservative due to releases of dredged material into the water column and temporary impacts on water quality.

K-135-001

**Comment:** Despite being purported as environmentally conservative, the DEIS does not explain why mechanical dredging is preferred over hydraulic dredging. Mechanical dredging experiences at Kilo Wharf, for example, prove that silt curtains are not able to contain silt at depths over 30 feet. Would hydraulic dredging create less silt and sediment impacts at dredge sites of 30 feet if proper dewatering to protect marine waters were practiced? Why has no such study been conducted before enunciating mechanical dredging as the preferred alternative based on "standard practice for Apra Harbor?" As these questions and recommendations remain unanswered, I request No Action for the proposed military buildup.

Sincerely,



Benjamin J.F. Cruz

**K-135-001**

Thank you for your comment. The differences between the environmental effects of mechanical and hydraulic dredging are discussed in Chapter 2, Volume 4 and Appendix D of the EIS. Mechanical dredging involves use of a clamshell or fixed bucket that excavates the dredge sediment from the harbor floor and then carries the sediment in the full bucket through the water column before lifting the bucket out of the water and placing the dredged sediment in a nearby barge or scrow. During this movement, a small fraction of the collected sediment will escape from the bucket and create suspended sediment in the lower and higher levels of the water column. On the other hand, a hydraulic dredge works solely on the harbor floor and any suspended sediment will emanate only in the lower portion of water column. As a result, the plume of suspended sediment is generally greater with use of conventional clam shell bucket as compared with a hydraulic dredge. However, use of hydraulic dredging is generally limited to soft bottom sediment on relatively flat surfaces. Mechanical dredging, which has historically been used in Apra Harbor, was chosen as the dredging method for evaluating environmental impacts as it presents the most adverse impact scenario. A sediment plume is an inevitable effect of in-water construction activities. The Navy proposes to minimize sedimentation by using best management practices such as silt curtains and operational controls of dredging equipment. Final mitigation measures for all dredging activities will be determined and agreed upon during the permit phase of the projects. The Kilo Wharf project and this proposed action occur in very different areas of Apra Harbor. The setting of Kilo Wharf is much more exposed to wind and wave action. The proposed action area is anticipated to be less challenging with regard to our ability to minimize environmental impacts.

February 17, 2010

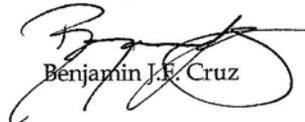
JGPO c/o NAVFAC Pacific  
258 Makalapa Drive, Suite 100  
Pearl Harbor, HI 96860-3134  
Attention: GPMO

**Re: Volume 2 Chapter 2 Proposed Actions and Alternatives**

Criteria from Marine Corps Order 3570.1B define the SDZs for individual weapons systems based on the weapon and munitions characteristics. For planning purposes in this EIS/OEIS, SDZs have been developed based on the placement of ranges. As the planning process progresses, and range designs mature, the SDZs would be certified in accordance with Marine Corps Order 3550.9, Marine Corps Ground Range Certification and Recertification Program. Limitations to use of land, water and airspace affected by SDZs are subject to regulation by the DoD, U.S. Coast Guard (USCG), U.S. Army Corps of Engineers (USACE), and the FAA, as appropriate.

**K-136-001** **Comment:** How far in all directions of the compass, does a Surface Danger Zone extend? Is it not paramount for DoD to disclose to residents the distances and trajectories of fired weaponry at firing ranges knowing a catastrophe could occur with each weapon system fired? Why is it that no table exists in the DEIS depicting trajectory and range for a ricochet from various weapons systems? Why do no tables in the DEIS exist to depict the explosion radius for weapons systems like mortars, grenades, incendiary grenades, or missiles? As the DEIS leaves these questions intentionally unanswered, I recommend No Action for the proposed military buildup.

Sincerely,



Benjamin J.F. Cruz

**K-136-001**

Thank you for your comment. Marine Corps live-fire training is designed to meet defined Marine Corps' training requirements in an environment that safeguards participants, non-participants, and the civilian populace. Range safety is driven by Marine Corps Order 3570.1B and the supporting publication – Department of the Army Publication (DA PAM) 385-63. This publication is available to the public and can be downloaded at the following link:

<http://www.usmc.mil/news/publications/Documents/DA%20PAM%20385-63.pdf>

DA PAM 385-63 details the criteria for Surface Danger Zones (SDZs) associated with each weapons system. Individual SDZs are developed for each range taking into account the range orientation, munitions types, target types, and impact media. The SDZs depicted in the DEIS account for all of these factors and include the areas required to contain ricochets, weapons effects, and any rounds traveling to the maximum range of the weapons system being utilized on a given DEIS range.

February 17, 2010

JGPO c/o NAVFAC Pacific  
258 Makalapa Drive, Suite 100  
Pearl Harbor, HI 96860-3134  
Attention: GPMO

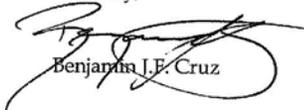
Re: **Volume 4 Chapter 11 Marine Biological Resources**

Based on the assumptions described in the Assessment of the Benthic Community Structure in the Vicinity of the Proposed Turning Basin and Berthing Area for Carrier Vessel Nuclear (CVN) Apra Harbor, Guam, Alternative 2 (Figure 11.2-9) would require the dredging of approximately 61 ac (25 ha) as compared to 71 ac (29 ha) for the Polaris Point Alternative (Table 11.2-10). The total area impacted is about 155 acres (63 ha), which includes direct and indirect impacts of 61 ac (25 ha) and 94 ac (38 ha), respectively. This equates to a percent coral cover impact of 46%, 39% direct and 50% indirect impacts of the total area affected, respectively. The indirect area extends 656 ft (200 m) from the direct area boundary as was described for the Polaris Point Alternative.

K-137-001

**Comment:** Unique communities containing dense coverage of "rare" corals, including Pectinia and Leptoseris, making up healthy coral habitats apparently found no where else in the Marianas or any other US controlled waters, were observed by regulatory agency teams in the impact areas. These corals could be permanently lost under impact of dredging for CVN channel and turning basin. Basing impact values and mitigation on simply live coral coverage does not recognize values of such special and unique coral communities. Based on the fact Guam has corals found nowhere in the Marianas and that dredging 61ac of the coral reef will cause irreparable harm to the ocean ecosystem, I recommend No Action for the proposed military buildup.

Sincerely,



Benjamin J.F. Cruz

K-137-001

Thank you for your comment. Habitat assessment methodologies which evaluate the function of affected aquatic resources, such as coral reef ecosystems, are an evolving science and the adequacies of existing and new methodologies are heavily debated in the scientific community. Ideally, a standard assessment technique that accurately characterizes and quantifies losses and gains of coral reef ecosystem functions would be used. However, rulemaking for the Compensatory Mitigation Rule recognizes the wide variety of aquatic resources present in the United States and the evolving nature of science regarding aquatic ecosystem restoration make the establishment of standard assessment methodologies impracticable. The assessment for this EIS used an historically approved methodology (percent coral cover), supplemented by other methods such as the use of Light Detection and Ranging (LIDAR) satellite photos, for quantifying impacts to affected coral reef ecosystems impacted by the proposed transient CVN wharf and associated dredging. DoD believes that use of the percent coral cover methodology, supplemented by use of LIDAR satellite photos, is the "best currently available science" to attempt to capture the thousands of elements that comprise the function of a coral reef ecosystem. DoD's assessment is currently under review by the US Army Corps of Engineers, the agency charged with implementing dredge and fill permits under CWA Section 404, and other Federal agencies. The FEIS has been updated to reflect the latest developments in this review.

February 17, 2010

JGPO c/o NAVFAC Pacific  
258 Makalapa Drive, Suite 100  
Pearl Harbor, HI 96860-3134  
Attention: GPMO

**Re: Volume 5 Chapter 17 Hazardous Materials and Waste**

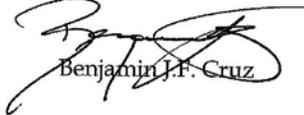
**Hazardous Waste**

There may be limited generation of hazardous wastes as a result of Army AMDTF range operations. Hazardous wastes generated could include: solvents, corrosive or toxic liquids, pesticides/herbicides, and aerosols (primarily used for firing range vehicle maintenance). An estimated 2,500 lbs (1,134 kg) of hazardous waste would be generated from Army AMDTF operations annually. This estimate was based upon professional judgment and DRMO Guam hazardous waste disposal data.

K-138-001

**Comment:** Throughout the volumes of the DEIS, projected increases of toxic materials due to the expansion of DoD activities are noted and Defense Reuse and Marketing Office current general capacities are expressed to handle hazardous wastes, but needed specific additional facilities and resources to handle increases are not addressed. Simply stating that increased capacity may be needed is not sufficient. I recommend that plans be made and facilities and resources put into place before the new actions covered by this DEIS begin. Until this request is met, I recommend No Action for the proposed military buildup.

Sincerely,



Benjamin J.F. Cruz

**K-138-001**

Thank you for your comment. Regarding whether there are enough resources on Guam to handle significant increase in the disposal of hazardous substances, there is a parallel ongoing Master Plan Document that provides specific details several new facilities (e.g., operations and maintenance facilities, bilge and oily wastewater pump station, fuel storage areas, POL storage areas, warehousing facilities, munitions magazine storage facilities, hazardous waste storage facilities, waste storage facilities, etc.).

These new facilities will be required to store, handle, and dispose of the estimated increases in hazardous substances that would occur from the potential DoD units transfer to Guam. This Master Plan is not currently at the stage where it may be distributed to the public, but at a later date is information will be available for review.

February 17, 2010

JGPO c/o NAVFAC Pacific  
258 Makalapa Drive, Suite 100  
Pearl Harbor, HI 96860-3134  
Attention: GPMP

**Re: Volume 4 Chapter 11 Marine Biological Resources**

**11.1 AFFECTED ENVIRONMENT**

The proposed channel and turning basins are bordered by several large "patch reefs" or "shoal areas" that consist of shallow, flat-topped, and steep-sided features. The largest three of these reefs are Jade Shoals, Western Shoals, and Big Blue Reef (shoal areas). These reefs all consist of relatively flat and shallow upper surfaces that are covered primarily with muddy sand and rubble.

K-139-001

**Comment:** The Carrier Vessels Nuclear channel, turning basin and berthing area are a unique and rare habitat found nowhere else in the US waters of the North Pacific. This is a deep water, coral reef, sheltered lagoon habitat adjacent to mangroves and mudflats. As a second criterion for Habitat Area of Particular Concern, the site will be heavily stressed by development activities. Not enough studies have been done to show the significance of ecological functions or its sensitivity to human degradation. Based on the endemic corals of Guam and the destruction they will incur from mechanical dredging, I recommend No Action for the proposed military buildup.

Sincerely,



Benjamin J.F. Cruz

**K-139-001**

Thank you for your comment. Habitat assessment methodologies which evaluate the function of affected aquatic resources, such as coral reef ecosystems, are an evolving science and the adequacies of existing and new methodologies are heavily debated in the scientific community. Ideally, a standard assessment technique that accurately characterizes and quantifies losses and gains of coral reef ecosystem functions would be used. However, rulemaking for the Compensatory Mitigation Rule recognizes the wide variety of aquatic resources present in the United States and the evolving nature of science regarding aquatic ecosystem restoration make the establishment of standard assessment methodologies impracticable. The assessment for this EIS used an historically approved methodology (percent coral cover), supplemented by other methods such as the use of Light Detection and Ranging (LIDAR) satellite photos, for quantifying impacts to affected coral reef ecosystems impacted by the proposed transient CVN wharf and associated dredging. DoD believes that use of the percent coral cover methodology, supplemented by use of LIDAR satellite photos, is the "best currently available science" to attempt to capture the thousands of elements that comprise the function of a coral reef ecosystem. DoD's assessment is currently under review by the US Army Corps of Engineers, the agency charged with implementing dredge and fill permits under CWA Section 404, and other Federal agencies. The FEIS has been updated to reflect the latest developments in this review.

To address the loss of coral reef resources from dredging, a detailed compensatory mitigation plan would be submitted as part of the Clean Water Act 404 permit application for construction affecting the navigable waters of the United States (including the CVN transient wharf). Due to the ongoing review of DoD's habitat assessment methodology for coral reef ecosystems and associated uncertainties regarding the scope of mitigation required, a detailed mitigation plan has not been developed

nor will one be available for incorporation into the FEIS. However, a number of mitigation options, including watershed restoration and the use of artificial reefs, are discussed in programmatic nature in Volume 4, Section 11.2 of the FEIS. DoD recognizes that, as part of the CWA Sec. 404 permitting process, additional NEPA documentation may be required to address specific permitting requirements and implementation of required compensatory mitigations.

February 17, 2010

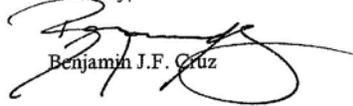
JGPO c/o NAVFAC Pacific  
258 Makalapa Drive, Suite 100  
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Attention: GPMO

**Re: Volume 7: Mitigation, Summary of Impacts, Cumulative, Page 3-3 – Soil Resources**

3.3.2.1 Summary of Preferred Alternatives' Impacts. Most impacts on geological and soil resources are less than significant during construction and operation.

**K-140-001** **Comment:** More analysis and mitigation needs to be included in the final EIS regarding the impact on existing soil resources. While you indicate on 3.3.2.1 and on Table 3.3-1 that your preferred alternative impacts will be less significant, there does not appear to be an analysis on the economic value of such resource in Volume 7 or the DEIS in its entirety.

As an island, the amount agriculturally productive land is very limited. In fact, a likely assumption would also be that the cost of soil is at a premium compared to elsewhere in the country. The final EIS should include a soil resources management plan that addresses both environmental and economic concerns.

Sincerely,  
  
Benjamin J.F. Cruz

**K-140-001**

Thank you for your comment. The DEIS does analyze economic impacts and land use impacts of reduction in agricultural land/soil (see Chapter 8 Land and Submerged Land Use and Chapter 16 Socioeconomics).

February 17, 2010

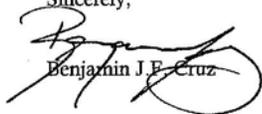
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Attention: GPMO

**K-141-001 Re: Volume 7: Mitigation, Summary of Impacts, Cumulative, Page 3-57 - Jobs**

Table 3.3-39 demonstrates that the preferred alternatives would generate the summary impacts of 43,278 workers at the 2014 peak that would decline to about 6,930 after construction abates by 2017. This number of jobs would be considered a significant beneficial impact on Guam. However, this rapid swing in the amount of civilian jobs suggests a sudden decline in economic activity. For many people on Guam, the end of construction would be a welcome return to normalcy, but some businesses would need to cut back, and many workers would have to out-migrate due to job loss.

**Comment:** The rapid swing in jobs only point to an unrealistic timeline for proposed actions in the peak year. The deleterious effects of a downturn on Guam's economy could be more easily mitigated by providing a realistic timetable. Unless this is presented in the final EIS, my recommendation is NO ACTION. It is unconscionable to expect the local community to simply absorb such shocks to its labor market.

Sincerely,



Benjamin J.F. Cruz

**K-141-001**

Thank you for your comment. The action proponent also desires to reduce adverse environmental effects of the proposed actions.

The purpose and need for the proposed relocation is to meet alliance and treaty requirements. As discussed in Volume 1, the alliance agreement with Japan states that approximately half the U.S. Marines on Okinawa would be relocated to Guam by 2014. Adaptive management is proposed as a mitigation that would reduce impacts to a less than significant threshold by elongating the construction period. This would provide more flexibility than setting specific dates for completion in the future. In either case, an elongated construction period would result in an inability to relocate U.S. Marines to Guam by 2014 and would fail to meet the current agreement with Japan. The end date for relocation in the agreement with Japan would need to be re-negotiated for implementation of adaptive management to meet the stated purpose and need.

February 17, 2010

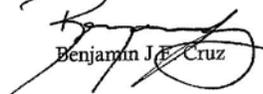
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Attention: GPMO

**K-142-001 Re: Volume 7: Mitigation, Summary of Impacts, Cumulative, Page 3-57 - Jobs**

Additional analysis suggests Guam residents would capture up to 2,700 of the direct on-site construction jobs plus about 3,200 of all other types of jobs during the construction peak of 2012 - 2014. In the later post-construction period, it is estimated that Guam residents would capture about 2,660 of the permanent jobs. These jobs do not currently exist on Guam and represent a beneficial value added effect as a result of the preferred alternatives.

**Comment:** The assumptions behind this statement are questionable. Using Hawaii economic modeling and multipliers render meaningless the above statement on how many Guam residents will capture jobs related to buildup. The SIAS purported the use of such Hawaii-based assumptions in other studies related to Guam. The SIAS should then include credible data that would indicate such proxies applied to Guam were correct.

Sincerely,



Benjamin J.F. Cruz

**K-142-001**

Thank you for your comment. The Hawaii economic model was utilized because there is no Guam economic model. In inputs into the model were reviewed and modified to ensure that the results of the economic impact analysis reflected the unique circumstances of the Guam economy. Also, please note that the Socioeconomic Impact Assessment Study (Appendix F in Volume 9 of the EIS) produces both an unconstrained and a constrained analysis; while both analysis were customized to represent Guam, the constrained analysis used multipliers that were reduced greatly from standard Hawaii multipliers and lower than any typical modern multiplier.

February 17, 2010

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Attention: GPMO

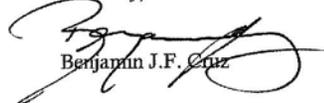
K-143-001 Re: Volume 7: Mitigation, Summary of Impacts, Cumulative, Page 3-59

*Selected Local GovGuam Revenues.* Table 3.3-43 demonstrates that the approximate combined revenues accruing to GovGuam from its three primary sources – 1) gross receipts taxes; 2) corporate income taxes; and 3) personal income taxes could be as high as \$423 million in 2014, declining to a stable figure of \$104 million after construction ends in 2017. These taxes are collected quarterly or annually and there may be a time lag between when government revenues from these sources are available and when they are needed to pay for services and infrastructure. Infrastructure costs would be heavily front-loaded in the timeframe. Revenue impacts would be significant and beneficial to GovGuam, and subject to the issues of timing and the peaks and valleys associated with construction ramp-up and decline.

**Comment:** GovGuam has neither the resources nor expertise to police and collect the huge sums of anticipated revenue from federally-mirrored (yet, locally collected) corporate and personal income taxes. Therefore, the statement that “revenue impacts would be significant and beneficial to GovGuam” is an overstatement. DoD needs to require all of its build-up related contractors to designate Guam as the *situs* for their contracts and require them to recognize all buildup-related income as Guam “possession source” income as defined in the Internal Revenue Code.

Additionally, more analysis needs to be given in the Socioeconomic Impact Assessment Study regarding the Hotel Occupancy Tax and how it will be negatively impacted as a result of revenue lost due to construction, traffic, crowding, noise, and pollution that will undermine Guam's value as an ideal visitor destination.

Sincerely,



Benjamin J.F. Cruz

K-143-001

Thank you for your comment. Section 4.3.3 of the SIAS provides information and discussion on the projected impacts the proposed action would have on government of Guam revenues. This section does not provide a complete accounting of all revenues sources; the section focuses on three major revenue sources: gross receipts tax (GRT), corporate income tax and personal income taxes. It is anticipated that more detailed information on tax revenues may be found in, the currently underway, Fiscal Impact Assessment (FIA); the FIA is funded by DoD's Office of Economic Adjustment through the office of the Governor.

The DoD received a number of recommendations regarding mitigation measures. An expanded mitigation discussion is available in the FEIS.



February 17, 2010

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Attention: GPMO

K-144-001 Re: Volume 7: Mitigation, Summary of Impacts, Cumulative, Page 4-20

The socioeconomic impacts of the preferred alternatives would have a strong additive impact on the cumulative projects impact. As described under the utilities and roadways discussion it is the influx of population to support the preferred alternatives that triggers the socioeconomic impacts. Most of the cumulative projects are not growth-inducing.

**Comment:** In addition to the influx of population to support the preferred alternatives, it is the scope, magnitude and largely the **pace** at which these projects are proposed to be undertaken that trigger the socioeconomic impacts.

Sincerely,

  
Benjamin J.F. Cruz

**K-144-001**

Thank you for your comment. The action proponent also desires to reduce adverse environmental effects of the proposed actions.

The purpose and need for the proposed relocation is to meet alliance and treaty requirements. As discussed in Volume 1 of the Final EIS, the alliance agreement with Japan states that approximately half the U.S. Marines on Okinawa would be relocated to Guam by 2014. Adaptive management is proposed as potential mitigation in the Final EIS that could potentially extend the construction period. As currently envisioned (and as discussed in Volume 7 of the Final EIS), adaptive management would entail adjusting the construction tempo to reduce environmental impacts if it is determined that, through monitoring, key infrastructure systems on Guam are reaching “action” or “tipping” points. DoD would chair a multi-agency council that would oversee the application of adaptive management post-Record of Decision.



February 17, 2010

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Attention: GPMO

**K-145-001 Re: Volume 1: Overview, Page 2-34 – Work Force Medical Care**

**2.7.1.9 Work Force Medical Care**

Regular non long-term care could be provided as part of the overall housing support operations, (such as first aid and primary care). Initial trauma and hospitalization would be provided on-island. Long-term care would likely be provided off Guam, including transportation of persons to their home of record, for long-term and serious medical care.

**Comment:** The Guam Memorial Hospital and particularly its emergency room do not have the needed medical staff to accommodate 18,000 off-island construction workers in 2014 or a 55,000 population increase. Unless the Department of Defense works through its Economic Adjustment Committee and identify funding to recruit 19 physicians and 121 other medical professionals with competitive wages, all of these workers should be treated at Naval Hospital.

There is a nationwide shortage of medical professionals. The fact that off-island construction workers will have insurance coverage provided by their employers will not mitigate staffing shortages at the local hospital. The shortage exacerbated by the buildup will be a disaster for the hospital's existing service population.

Sincerely,

Benjamin J.F. Cruz

**K-145-001**

Thank you for your comment. The DoD has no statutory authority to construct a new public hospital for Guam. However, money from taxes, fees, and reimbursements would support these facilities and services. It should also be noted that in Okinawa, the Government of Japan pays much of the cost (\$2 billion per year) for the Marine base. The DoD plans to have several medical clinics in Guam and a new replacement Naval hospital would provide health services to the military personnel, their dependents, and military beneficiaries. Additionally, it is anticipated H2B workers as well as on-island workers will have health plans and private clinics will provide medical services.

February 17, 2010

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Attention: GPMO

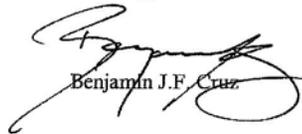
**K-146-001** Re: **Volume 1: Overview, Page 2-36 – Harmon Industrial Park**

**Stockpile**

Some aggregate material may require stockpiling off-site, depending on the availability of an area at the construction sites. Several areas may be available for off-site stockpiling such as Harmon Industrial Park, and currently undeveloped areas in Yigo and Dededo. Some on-site stockpiling may be possible at Finegayan, North Ramp, and the wharf. On-site stockpiling is less costly for the government if an area is available.

**Comment:** The Department of Defense should seek alternative sites to stockpiling in Harmon Industrial Park. Access to this area is through a two-lane road in one of the most traffic congested areas on Guam. Additionally, there are many businesses in the area that may be adversely impacted by the additional traffic.

Sincerely,



Benjamin J.F. Cruz

**K-146-001**

Thank you for your comment. As mentioned, on-site stockpiling will occur whenever possible. Other sites could be identified and used by contractors. Regarding traffic impacts, refer to Volume 6 of the DEIS; the discussion is based on the probable impacts of traffic on various routes used by the public in Guam.

February 17, 2010

JGPO c/o NAVFAC Pacific  
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Attention: GPMP

**K-147-001** Re: Volume 2 Chapter 4 Water Resources

**Best Management Practices**

In many sections of the water resource analysis contained in this EIS/OEIS, the reader will find implementation of BMPs as an impact-reducing measure for both construction and operation activities. Thus, it is important to note a few things about BMPs, and in particular stormwater-related BMPs, in this section of the EIS/OEIS. Choosing an effective stormwater BMP is one of the key challenges to ensuring maximum protection for receiving waters. As part of this, having access to studies of BMP performance helps make better decisions to ensure not just BMPs, but rather, effective BMPs are selected and implemented.

**Comment:** Throughout the DEIS it is simply noted that Best Management Practices (BMP) will be used in accordance with applicable laws; therefore, there will not be significant impacts. While the DEIS does address BMP issues in other volumes, it is incumbent that they define each BMP as it relates to each project. This would BMP's related to pollutant removal, stormwater reduction, installation considerations, maintenance costs, hydrologic regime, coral reef destruction, air pollution, noise, and runoff among a myriad of suitable criteria for BMP's. Reading "BMP" next to each project or environmental concern is disconcerting because it leads readers to believe the DEIS and NEPA process are perfunctory and that proper assessment for each site was done haphazardly. I request a complete rewrite of the DEIS to include a specific BMP in each chapter of every DEIS volume for each project DoD intends for Guam. Until this request is met, I recommend No Action for the proposed military buildup.

Sincerely,



Benjamin J.F. Cruz

**K-147-001**

Thank you for your comment. The Final EIS contains a general discussion of the effectiveness and applicability of example BMPs. Site-specific and action-specific BMPs and LID measures would be identified through project design and agency coordination and permitting.

February 17, 2010

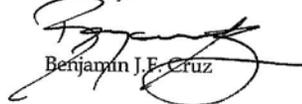
JGPO c/o NAVFAC Pacific  
258 Makalapa Drive, Suite 100  
Pearl Harbor, HI 96860-3134  
Attention: GPPO

**K-148-001** Re: **Volume 6 Chapter 3 Utilities**

3.1.3.1 Northern District Wastewater Treatment Plant  
The NDWWTP is owned by GWA and operated by Veolia under contract with GWA. The treatment plant treats wastewater flows from civilian populations and DoD installations that are located in northern Guam. Andersen AFB, NCTS Finegayan, and South Finegayan contribute wastewater flows to the NDWWTP.

Comment: South Finegayan; the wastewater collection system is a gravity sewer system connected to the Guam Waterworks Authority (GWA) wastewater collection system. The DEIS must consider a collection system assessment from down-line of the connection point of the GWA line because the existing collection system may not be capable of handling additional flow based on pump station design capacity, existing pipeline design, and generator capacity. In relation to collection system and treatment facilities, what agency will be responsible for operation and maintenance? If DoD intends to utilize the Northern District Wastewater Treatment Plant, is there any agreement between DoD and GWA regarding operation and maintenance of both collection systems and treatment systems? The DEIS must specifically ensure that proper operation and maintenance of the system will be applied to ensure that overflow problems do not create public health issues related to wastewater contamination. As the DEIS does not address these problems, I recommend No Action for the proposed military buildup.

Sincerely,



Benjamin J.F. Cruz

**K-148-001**

Thank you for your comment. DoD is pursuing a sewer capacity study of the existing GWA sewer along route 3 adjacent to the proposed preferred cantonment alternative 2 at Finegayan. This GWA sewer would be used during construction of the base at Finegayan until the new "relief" sewer would be constructed from Finegayan to the north district wastewater treatment plant. Current discussions between DoD and GWA are being held to work out proposed details of maintenance and operation of these sewer collection systems. Subsequent to issuing the DEIS, DoD and Guam Waterworks Authority (GWA) reached agreement in principle to establish a special private entity (SPE). This SPE would obtain a loan arranged by DoD to upgrade the North District Wastewater Treatment Plant (NDWWTP). The SPE would also operate the plant and pay back the loan with user fees.

The DoD would pay user fees established by a customer service agreement with GWA that would enable the SPE to repay the loan. Future upgrades to add secondary treatment to the NDWWTP, if required, would be funded by the users based on their percentage of demand. The DoD would be one of the highest users would bear their fair share of that upgrade. These additional plans will be stated in the Final EIS.

February 17, 2010

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Attention: GPMO

K-149-001 Re: Volume 2 Chapter 17 Hazardous Materials and Waste

The Defense Reutilization and Marketing Office (DRMO) through its' contractors manages, stores, ships, and disposes of hazardous materials associated with all DoD installations and operations in Guam. DRMO maintains all hazardous materials documentation. Furthermore, DRMO contracts with licensed firms for proper disposal of these materials at permitted facilities. Currently, the DRMO disposes of approximately 32,389 pounds (lbs) (14,691 kilograms [kg]) of hazardous materials annually from Marine Okinawa operations (DRMO Okinawa 2009).

**Comment:** Throughout the DEIS volumes a projection of increases in toxic materials due to the increase of DoD activities is noted on virtually every page. The response is always the Defense Reutilization and Marketing Office (DRMO). However, the DEIS provides no clear methods for handling toxic waste, needs for additional toxic waste facilities, or proper disposal of toxic wastes. Considering that 32,289 pounds of hazardous materials are disposed of annually in Okinawa based on Marine operations, it is paramount for the DEIS to clearly have facilities and resources in place before actions proposed in the DEIS move into action. As the DEIS does not have a comprehensive plan for disposing of at least 32,389 pounds of toxic waste annually on Guam, I recommend a complete rewrite of the DEIS to include a comprehensive assessment of hazardous waste disposal. Until this request is met, I recommend No Action for the proposed military buildup.

Sincerely,



Benjamin J.F. Cruz

K-149-001

Thank you for your comment. Regarding whether there are enough resources on Guam to handle significant increase in the disposal of hazardous substances, there is a parallel ongoing Master Plan Document that provides specific details several new facilities (e.g., operations and maintenance facilities, bilge and oily wastewater pump station, fuel storage areas, POL storage areas, warehousing facilities, munitions magazine storage facilities, hazardous waste storage facilities, waste storage facilities, etc.). These new facilities will be required to store, handle, and dispose of the estimated increases in hazardous substances that would occur from the potential DoD units transfer to Guam. This Master Plan is currently not available for public distribution however, at a later point in time specific information regarding new facilities for the handling of hazardous substances will be available for review.



February 17, 2010

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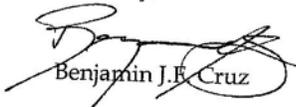
K-150-001 Re: Volume 2 Chapter 17 Hazardous Materials and Waste

**Hazardous Waste**

Expanded DoD missions on Guam would result in an increase in the off-island transport and inter-island transfer of hazardous waste. Increases in the transport/transfer and use of pesticides, herbicides, solvents, adhesives, lubricants, corrosive liquids, aerosols, and other hazardous wastes are expected.

**Comment:** This chapter nor any other chapter in each of the volumes provides details related to pesticides. Public Law 29-26 has new requirements for importation, use, and disposal of pesticides. The issue of illegal importation from foreign companies is an ongoing problem on Guam. With the increase in civilian population, especially from Asia where 90% of illegal pesticides originate, it is paramount that DoD comprehensively address the problem of illegal pesticides entering Guam. I recommend that DoD do a complete rewrite of the DEIS to include illegal pesticides, their impact on the environment, smuggling prevention, and mitigation for spillage of pesticides. Until this request is met, I recommend No Action for the proposed military buildup.

Sincerely,

  
Benjamin J.F. Cruz

**K-150-001**

Thank you for your comment. New text in the EIS has been added describing the requirements of Public Law 29-26 regarding the importation, handling, and use of pesticides on Guam.

February 5, 2010

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 Attention: GPMO

Re: Volume 2 Chapter 18 Public Health and Safety

K-151-001

**18.2.2.4 Mental Illness**

A potential increase in mental illness occurrences due to the addition of 21,262 personnel and dependents, construction workforce, as well as the natural population increase, would be anticipated. Based on the average per capita rates for mental illness on Guam, the potential increase in mental illness occurrences was estimated based on the natural increase in population as well as the anticipated military personnel moving to Guam. Based on the anticipated 2019 population of Guam, the annual number of mental illness cases could increase by 20 to a total of 247 cases. During the peak construction period, the construction workforce visiting Guam from other countries would have the potential to contribute 20 mental illness cases annually. Based on the small potential for increase in mental illness cases, no impact on the health and safety of the citizens of Guam (resulting from a potential increase in mental illness) is anticipated.

**Comment:** Although the military has its own health services, the buildup will strain the Department of Mental Health and Substance Abuse because there may be a large number of personnel going to DMHSA to avoid alerting their commanding officers. With that in consideration, a Public Hearing with DMHSA was held regarding the DEIS on February 4, 2010. This meeting brought to light many of the problems associated with the military buildup and population increase. Among the problems discussed include an increased need for psychiatrists and psychologists, an increase in programs and services, and an increased funding requirement. The military creates an increase in the jurisdiction placed on DMHSA i.e. command directed evaluations, fitness for duty, different confidentiality requirements and rules of engagement. The military creates a needed increase in expertise related to military combat psychology including training of personnel to assist the psychological needs of active duty military personnel. The military buildup necessitates an increase in psychotropic medication dispensing and prescribing, an increase in prescribing psychiatrists and prescribing psychologists, and increased funding for medication.

An increase in population related to the military buildup may increase incidents of criminal sexual conduct. This increases the likelihood of services provided through Healing Hearts and an increased need to provide professionals specializing in the treatment of individuals who have been raped. Substance abuse is a concern related to the military buildup because military personnel on liberty, construction workers, and residents may abuse drugs and alcohol.

**K-151-001**

Thank you for your comment. The DEIS examines the potential impacts to mental health concerns as a result of implementing the proposed action. The Navy appreciates the importance of mental illness issues and will work with the government of Guam to ensure health issues are appropriately addressed during and after the buildup. Volume 2, Section 16.1.5.2 provides a brief discussion of the overarching factors that affect health and human services on Guam. It also outlines the key public, nonprofit, private, and military agencies that provide primary health and human services to Guam's population. The population serviced by the DoD dental and medical clinic and Guam Naval Hospital will include the proposed relocated Marines and other military dependents and military beneficiaries. The military sector provides mental health services to active duty members and their dependents, while the Veterans Affairs (VA) Administration services the mental health needs of veterans and their families. The Guam Memorial Hospital and private medical practices would service the civilian population. The DEIS does not identify specific funding sources.

It is also noted that the EIS process provides information on environmental impacts (this includes the human environment); however, there is a limit to the specific details of the impacts because the information used is based on the continuation of existing trends and behaviors. While it is not an exact science, the EIS process along with the comments received provide information to the decision makers on the anticipated impacts of the proposed action. It is also noted that the Socioeconomic Impact Assessment Study (SIAS) discussed an unconstrained (maximal) scenario and a constrained scenario. The two scenarios represent a range of impacts that could occur should the proposed project be implemented under the current schedule. The SIAS is provided as Appendix F, Volume 9 of the DEIS.

DoD recognizes the importance of reducing adverse effects on the people of Guam, its natural resources, and infrastructure. The EIS

K-151-001

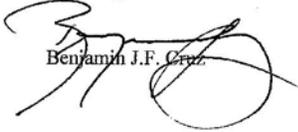
This will necessitate an increase in substance abuse assessments and treatment for military personnel. It will necessitate an increase in the need to provide substance abuse group meetings in the community to maintain military personnel and their sobriety.

The military buildup will negatively increase the patient to medical professional ratio. Working with military personnel and their dependents will prevent DMHSA from assisting residents. The military buildup increases the DMHSA workload and places a strain on limited resources currently available. Moreover, the military buildup will increase the need for specialized services related to children and adolescents and increase the need for specialized services for adults with mental illness. Overall, the complexity and increased work demands associated with the military buildup will tax inexperienced and untrained staff. This will affect the quality of service.

The DEIS does not address utilization rates of military personnel and their dependents in Okinawa for mental health services. The DEIS does not provide mental health plans related to personnel returning from active duty. Will service personnel require mental health debriefings? Are service personnel culturally competent after active duty to reside on Guam or do they need debriefing? Will the military provide mental health debriefings? Will they rely on DMHSA for mental health debriefings? The DEIS does not discuss the impact potential receivership will have on DMHSA in relation to the military buildup. Nor does the DEIS address the need for additional psychiatric and psychological caregivers or the fact that DMHSA is currently flooded with residents in needs of its understaffed services.

Overall, the entire DEIS is grossly deficient in addressing the mental health problems associated with the military buildup and its impact on DMHSA. I suggest that DoD rewrite the entire section of the DEIS related to DMHSA, and further, I recommend they provide a separate DEIS dedicated to DMHSA, Public Health, the Guam Memorial Hospital and the Department of Integrated Services for Individuals with Disabilities. Furthermore, I recommend that DoD provide funding to meet the needs of each health related agency. Until these requests are met, I request No Action for the military buildup.

Sincerely,



Benjamin J.F. Cruz

process identifies ways to implement the proposed relocation while minimizing adverse impacts. DoD will continue to work with the people and Government of Guam to ensure that the short-term impacts of construction are managed effectively and that the long-term effects of the military relocation reflect DoD policies to be good neighbors and responsible citizens on Guam.

February 5, 2010

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Attention: GPMO

**K-152-001** Re: **Volume 2 Chapter 18 Public Health and Safety**

18.2.2.3 Notifiable Diseases

During the peak construction period (2014), the construction workforce visiting Guam from other countries would have the potential to contribute 76 cases of STDs and 7 cases of TB annually. The annual number of AIDS cholera, dengue, Hepatitis C, malaria, measles, rubella, and typhoid fever cases is not anticipated to increase and would remain at about one case annually. A discussion of medical care and health screening for construction workers visiting Guam is provided in Section 16, Socioeconomics and General Services.

As seen in Table 18.2-1, the largest potential increase in disease occurrences is that of STDs (8% increase/77 new cases annually). Young adults would be more likely to contract an STD. These increases; however, are not likely to impact the resources of the citizens of Guam. Military installations have hospitals and clinics that would treat military personnel; therefore, the presence of additional military personnel and their dependents is not expected to increase stress on the public hospital and other clinics on Guam. Additionally, military personnel are vaccinated against a myriad of diseases including measles, rubella, and Typhoid fever, which would preclude them from the potential increase in disease incidents. Vaccinations for AIDS or STDs are not available. Based on the small potential for increase in notifiable diseases (including construction workforce contribution) and the presence of a Navy hospital to treat military personnel, a less than significant impact on the health and safety of the citizens of Guam (from notifiable diseases) is anticipated.

**Comment:** On February 4, 2010, a Public Hearing with the Department of Public Health and Social Services was held regarding the DEIS. In the course of testimony it became apparent that the DEIS understates many of the problems associated with notifiable diseases. Based on the population increase in relation to construction laborers, tuberculosis cases will increase by 10% to 15% in the next 2 to 5 years. Measles, STD's, and HIV/AIDS will increase, as will other communicable diseases. Adding to this problem is that military personnel with an STD may not seek health care in a military clinic or hospital for fear of having the information documented. Instead, they may choose health care in a Guam clinic thereby burdening a short-staffed clinic while increasing residents wait time for medical treatment. This fact may negate the economic benefit associated with military personnel acquiring off base health care.

**K-152-001**

Thank you for your comment. During the DEIS review period, many mitigation measures were recommended, subsequently, the FEIS has included expanded discussions of mitigation measures. As pointed out in your comments, several at risk populations would be part of the increase in population that would be expected to come to Guam. The H2B workers would be screened to confirm that they are in good health. These workers would also be provided with healthcare so that they would not burden the public system. Military personnel could seek out public health services to try to remain anonymous; however, they would also pay taxes, licenses and fees to the government of Guam.

As documented in this EIS, DoD acknowledges the existing sub-standard conditions of key public infrastructure systems and social services on Guam and the interest to have DoD fund improvements to these systems and services. DoD's ability to fund actions is limited by Federal law. However, to minimize adverse impacts associated with the proposed military relocation program, DoD is leading a federal inter-agency effort to identify other Federal programs and funding sources that could benefit the people of Guam.

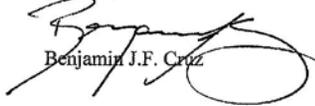
K-152-001

Military personnel and construction laborers will contribute to an increase in STD's on Guam. Therefore, the EIS must recommend that the Immigration and Naturalization Service (INS) is part of the process that prevents prostitutes from entering Guam disguised as entertainment workers. The EIS should recommend that DoD and the INS work together to enable the INS to deny entry or red flag establishments attempting to hire entertainment workers.

In the above table the DEIS references Volume 2 Chapter 16 Socioeconomic and General Services where it states, "There would be health screening of all workers to reduce health risk to the Guam population. Contractors would be required to provide health care either by supplementing local Guam staff and resources or building their own clinic." This perfunctory statement provides no outline for proper health screening procedure. No plans for bio-security should an invasive species attach itself to the clothing of incoming laborers or their luggage. No plans are provided for the location of a clinic on land scarce Guam. No details are provided for proper quarantining of laborers that have a communicable disease. No details are provided for proper vaccination methods should a laborer arrive on Guam with a communicable disease. No details are provided for how contractors could acquire local Guam medical staff to fit their onsite needs in relation to health screening when the island is already immensely short of qualified medical practitioners. Furthermore, were contractors able to acquire medical practitioners, it would further contribute to the decline of residents needs for medical attention. In fact, it behooves DoD that health screening for communicable diseases should be done prior to the arrival of laborers on Guam thereby preventing an outbreak of one or more communicable diseases.

Overall, the entire DEIS is grossly deficient in addressing the health problems associated with the military buildup and its impact on DPHSS. I suggest that DoD rewrite the entire section of the DEIS related to DPHSS, and further, I recommend they provide a separate DEIS dedicated to DMHSA, Public Health, the Guam Memorial Hospital and the Department of Integrated Services for Individuals with Disabilities. Furthermore, I recommend that DoD provide funding to meet the needs of each health related agency. Until these requests are met, I request No Action for the military buildup.

Sincerely,



Benjamin J.F. Cruz

February 5, 2010

JGPO c/o NAVFAC Pacific  
 258 Makalapa Drive, Suite 100  
 Pearl Harbor, HI 96860-3134  
 Attention: GPMO

K-153-001 Re: Volume 2 Chapter 16 Socioeconomics and General Services

**Table 16.2-39. Construction Component Assumptions for Public Health Agency Impacts**

Assumption	Assumed Value	Source/Rational
% of Guam's civilian population supported by GDISID services	100%	All incoming civilian populations would be part of the service population of GDISID, as the agency would provide services to anyone on the island that is or becomes disabled and meets agency criteria. (GDISID Interview)
GDISID Ratio of Social Workers and Counselors : Service Population Ratio	1: 12,086	2008 agency staffing data to service population ratio - GDISID Survey (Appendix F SIAS).

**Comment:** In addition to the table above, the DEIS states the Department of Integrated Services for Individuals with Disabilities (DISID) must serve a "Baseline Service Population of 169, 209 in the peak year 2014." At a recent Public Hearing held on February 4, 2010, in relation to DISID, it was uncovered during testimony that there is an inability to extract or quantify how DoD was able to come to the figure of 169, 209.

**K-153-001**

Thank you for your comment. Because DISID was determined to service all civilian population, its service population number was calculated at total population minus military population numbers.

K-153-001

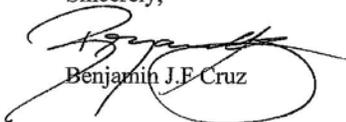
Considering that DISID is faced with a 1:12,086 ratio of social workers and councilors to service population ratio, a clearer examination of the problems associated with their agency is pertinent. Currently, DISID is grossly understaffed. Four of their five social workers are detailed to the Department of Mental Health and Substance Abuse. The sole social worker at DISID is inundated with work related to the needs of residents.

DoD and the DEIS has not provided a list of policies and standards, therefore, DISID may be seen as providing the military substandard care. The population increase associated with the military buildup will increase incidents of HIV/AIDS. This will potentially increase the target population served by DISID. The military buildup and its large military installation may increase the potential for a terrorist attack. However, DISID is short staff, underfunded, and may not be able to respond to a terrorist attack, mass casualties, or n epidemic.

Moreover, in light of the military buildup questions arise in relation to DISID. Will the Federal Granting Agencies offer more grant opportunities to Guam to address unforeseen or unexpected health, social, economic, infrastructure, and other aspects of life? Will the DISID be required to provide services to non-military personnel associated with the buildup that acquire job related injuries?

Overall, DISID is in dire need of assistance. Like the other health care agencies on Guam, they are underfunded, understaffed, and the DEIS does not provide a clear plan for mitigating the potential negative impacts associated with the military buildup. I recommend an entire rewrite of the DEIS in relation to DISID or an entirely new DEIS that comprehensively covers the scope of health agencies on Guam. Until this request is met, I request No Action for the military buildup.

Sincerely,



Benjamin J.F. Cruz

February 8, 2010

JGPO c/o NAVFAC Pacific  
258 Makalapa Drive, Suite 100  
Pearl Harbor, HI 96860-3134  
Attention: GPMO

**K-154-001 Re: Volume 2 Chapter 16 Socioeconomics and General Services**

**Guam Memorial Hospital Authority**

Unless otherwise noted, all information for this section was obtained from a 2008 survey and 2009 interview with Guam Memorial Hospital Authority (GMHA) staff (Appendix F SIAS – GMHA Interview).

GMHA is Guam's only civilian general hospital, servicing the entire population's primary health care needs. In 1964, a public law was passed for GovGuam to administer and operate GMHA. In 1978, the hospital moved to its current location in Tamuning, a building originally built for the Catholic Diocese to serve as a private acute care facility. In 1996, GMHA opened a Skilled Nursing Unit (SNU) facility in Barrigada Heights. GMHA employs 105 medical staff. Approximately 77% of GMHA staff is board certified. Currently, the 22,000-square-foot GMHA provides a total of 250 beds including 158 acute care beds. The SNU has 40 beds. GMHA is often at capacity.

**Comment:** The increase in population will increase the services required at Guam Memorial Hospital (GMH). No plan in the DEIS exists for how to help GMH handle the increase in patients relative to the population increase. On a daily basis, GMH runs at full capacity with patients often waiting for beds.

On February 4, 2010, a Public Hearing with GMH was held regarding the DEIS. Testimony clarified that GMH is currently short staff and they are in dire need of renovations. In preparation for the military buildup, GMH must recruit medical practitioners and they must attain more beds. As noted above, GMH has 250 beds and 158 acute care beds. Guam is at 0.9 per thousand in relation to beds. By comparison, the national average is 2.5 per thousand. By 2014, GMH must have 322 acute care beds. GMH is doing a request for proposal to reprogram bond proceeds for \$11 million dollars. This may allow GMH to expand its emergency room and increase the size of the Intensive Care Unit from 10 beds to 14 beds. Still, GMH needs \$100 million to bring the hospital inline with acute bed needs to

**K-154-001**

Thank you for your comment. As documented in this EIS, DoD acknowledges the existing sub-standard conditions of key public infrastructure systems and social services on Guam and the interest to have DoD fund improvements to these systems and services. DoD's ability to fund actions is limited by Federal law. However, to minimize adverse impacts associated with the proposed military relocation program, DoD is leading a federal inter-agency effort to identify other Federal programs and funding sources that could benefit the people of Guam.

The SIAS and the DEIS are documents that have identified the probable impacts of the proposed action and alternatives based on the best available information. Existing data and information was gathered and supplemented with interviews with federal and Guam agencies. To provide the public and various governmental agencies with an opportunity to review and comment on the methodologies and assumptions used, the SIAS was included as Appendix F, Volume 9 of the DEIS. Comments provided on the DEIS will also be included to provide the decision-makers with the public views in support and/or opposition of the proposed action and alternatives.

The staffing numbers used in the analysis were derived from surveys and interviews performed in conjunction with the DEIS, and serve as a point-in-time indication of staffing levels. It is acknowledged that staffing levels fluctuate, and it is not possible for this analysis to capture all these fluctuations. It is expected that the Fiscal Impact Assessment, conducted by GovGuam consultants and funded by the Department of Defense Office of Economic Adjustment, will be able to more fully capture recent public service fluctuations.

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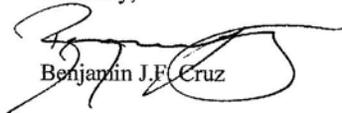
meet the population increase stemming from the military buildup, construction laborers, and to meet the needs of the growing residential population. Adding to the difficulties is that GMH continues its efforts to hire qualified medical practitioners amidst low pay scales.

Overall, the DIES downplays the population increase associated with military buildup and its effects on Guam. The DEIS does not account for the possibility a pandemic may occur on Guam based on the influx of construction laborers that may not be health screened prior to traveling to Guam. Therefore, they may bring a communicable disease that afflicts residents, fellow laborers, and military personnel to the point that an already full to capacity GMH, becomes immobilized. Furthermore, the DEIS summarizes the lack of funding, lack of staff, lack of beds, and lack of programs associated with GMH, but it never provides a clear methodological approach for assisting GMH.

Considering that GMH is Guam's only hospital and the military buildup will place direct and indirect pressure on the facility, it is paramount for DoD to assist GMH and residents. Notwithstanding a proposed new private hospital, \$100 to \$150 million in funding from DoD and additional grant opportunities will help GMH prepare for Guam's organic growth population and the military buildup. Professional employment packages to recruit medical practitioners to GMH is necessary as is immediate funding to renovate key areas of GMH like the Intensive Care Unit, Emergency Room, and Intermediate Newborn facilities.

Surely, DoD can provide \$100 to \$150 in renovation funds, supplement the general fund for employment packages for medical practitioners, and grant opportunities to assist GMH and island residents. Moreover, Guam needs the assistance in funding for renovations and medical practitioners because loans taken out by GovGuam to pay these costs will increase healthcare for residents. Until these reasonable demands are met, and until the military accounts for a methodological approach within the DEIS, or in a new version of a DEIS that comprehensively includes the military buildups impact on all of Guam's health agencies, I recommend No Action for the proposed military buildup.

Sincerely,



Benjamin J.F. Cruz

February 8, 2010

JGPO c/o NAVFAC Pacific  
 258 Makalapa Drive, Suite 100  
 Pearl Harbor, HI 96860-3134  
 Attention: GPMO

**K-155-001** Re: **Volume 2 Marine Corps Relocation Guam, Chapter 16**  
**Socioeconomics and General Services**

Table 16.2-43. Construction Component Assumptions for Public Safety Agency Impacts

Assumption	Assumed Value	Source/Rationale
GDYA service population	Ages 10-17	GDYA Interview
GDYA Youth Service Worker: Service Population Ratio	1:316	2008 GDYA youth service worker numbers to service population estimates – GDYA Survey (Appendix F SIAS)

**Comment:** Table 16.2-43 is not indicative of the situation at the Guam Department of Youth Affairs (GDYA). In fact, the GDYA service population is ages 5 to 21. It provides services that support early childhood, academic, and social development (ages 5 to 12) and implements programs and activities geared toward youth development, prevention, diversion, 24-hour crisis intervention and treatment, rehabilitation and aftercare that includes services for youth who are under continuing jurisdiction of the court (ages 8-21). GDYA receives military dependents. From 1998 - 2009, 107 military dependents were admitted to the Youth Correctional Facility (YCF) and Cottage Homes (CH) with an average stay of 30 days per dependent.

**K-155-001**

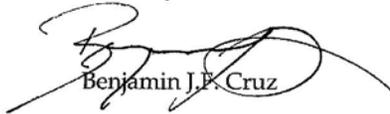
Thank you for your comment. The SIAS and the DEIS are documents that have identified the probable impacts of the proposed action and alternatives based on the best available information. Existing data and information was gathered and supplemented with interviews with federal and Guam agencies. To provide the public and various governmental agencies with an opportunity to review and comment on the methodologies and assumptions used, the SIAS was included as Appendix F, Volume 9 of the DEIS. Comments provided on the DEIS will also be included to provide the decision-makers with the public views in support and/or opposition of the proposed action and alternatives.

Follow up was done to confirm the information in your comment and appropriate edits made to the FEIS.

K-155-001 | The ratio of staff to detainee is 1:4. The average number of detainees at the Youth Correctional Facility is 45, but that number has risen to 70. The Cottage Home has a capacity of 18 clients. Based on the military buildup, the additional capacity is estimated at 35 clients; therefore, hiring additional personnel is necessary. Additionally, to meet the demands of the population increase, the construction of a new GDYA facility with a capacity of 150 clients and a new Cottage Home with a capacity of 25 clients with a new administration building is critical. This will ensure facilities that provide security, supervision and services to an estimated 105 clients at maximum daily capacity in these facilities.

The anticipation of the military and civilian influx warrants the need for new buildings, vehicles and equipment to ensure safety, supervision, security, and care for the influx of youth in the custody of GDYA. Youth service workers, social workers, clinicians, prevention, maintenance and administrative staff are necessary to care for youth in the custody of GDYA. DoD must ensure their personnel and families are informed about the laws on Guam through a simple brochure/pamphlet. DoD should create and implement a work program consisting of volunteer staff to assist DYA in general refurbishment i.e. painting and yard upkeep. DoD should facilitate volunteer psychological and social work staff to assist DYA on a monthly basis. Additionally, DoD must make every effort to provide funding for DYA infrastructure and staffing in preparation for the upcoming military buildup. As these needs have neither been met or discussed in the DEIS, I recommend No Action for the military buildup.

Sincerely,



Benjamin J. Cruz

February 9, 2010

JGPO c/o NAVFAC Pacific  
 258 Makalapa Drive, Suite 100  
 Pearl Harbor, HI 96860-3134  
 Attention: GPMP

**K-156-001 Re: Volume 4 Chapter 4 Water Resources**

**230.30 Threatened and endangered species.** Special Status Species in the project area include sea turtles. Green and hawksbill turtles are known to utilize Apra Harbor, but there are only historic records documenting use of beaches for nesting near the project area.

The Navy recognizes that there are many on-going and recent past studies on the subject of potential exposures to sea turtles and other marine species from pile driving actions. Further research and validation of these studies are necessary prior to being able to determine the applicability of the methodologies and results to the proposed action within this DEIS/OEIS. The Navy would continue to research these studies and where appropriate, incorporate and apply methodologies, analysis, and results to the on-going impact analysis to sea turtles from the proposed action. Applicability of these studies would also be coordinated through consultations with the National Marine Fisheries Service. The Final EIS/OEIS will contain revised sea turtle impact analysis as developed through the process described above.

Comment: The green and hawksbill turtles are found primarily in tropical coral reefs, they reside in caves and ledges, and they dwell in a wide range of habitats from vast ocean lagoons to mangrove swamps near estuaries. The green and hawksbill turtles are listed in the International Union for Conservation of Nature Red List of Threatened Species. As coral reefs are immensely important to the habitat of the hawksbill and green turtles, the dredging of 39 acres of Apra Harbor will eradicate permanently the habitat of these precious turtles. Dumping fine silt from the dredge into an Ocean Dredged Material Disposal Site may smother the hawksbill and green turtles that thrive in a wide range of habitats. Upland placement of dredged sediment combined with construction debris, toxic pollutants, and sediments from Guam's existing erosion problem will flow downward through and around DEIS best management practices via heavy rainfall to smother coral reefs and subsequently, the hawksbill and green turtles.

Most frustrating is the second paragraph in the box above. The DoD, Navy, and DEIS recognize a myriad of studies have been done on the green and hawksbill turtles, but somehow they need "further research and validation of these studies" to "determine the applicability of the methodologies and results to the proposed action within this DEIS/OEIS." How many studies are enough to verify that destroying coral reefs contributes directly to the eradication of these endangered turtles? Why are the studies related to the green and hawksbill turtles from the Department of Agriculture, the Department of Aquatics and Wildlife Resources, the National

**K-156-001**

Thank you for your comment. The Navy currently implements standard operation procedures, mitigation measures and BMPs that consider federally protected species and their well-being. The Navy has co-existed with sea turtles in the Harbor for over 60-years. The Navy, in a partnership with the Fish and Wildlife Service, monitors sea turtle activities within Apra Harbor and around Guam. There are no records of sea turtles nesting on beaches within Apra Harbor that would be impacted by the proposed action and there have been no reported observations of sea turtles grazing within the area to be dredged. The Navy will also implement mitigation measures and BMPs during in-water and land-based construction activities (i.e. dredging and wharf construction) to lessen any potential impacts to sea turtles and sea life in general. Additionally, the Army Corps permit may require measures to protect biological resources. These measures may include the following: biological monitors on vessels (making sure sea turtles and dolphins [although rare in Apra Harbor] do not approach the area); halting of dredging activities, if these animals enter the buffer zone, until the sea turtle and/or dolphin voluntarily leave the area, low lighting, and as described above, joint Navy/Guam Resource Agency monitoring of nesting beaches though out Guam, to name a few.

The NEPA process provides the opportunity for public comment and sufficient environmental information so an informed and reasoned decision can be made.. The sea turtle impact analysis was revised in response to public and agency comments in efforts to improve the FEIS document for final decision making purposes.

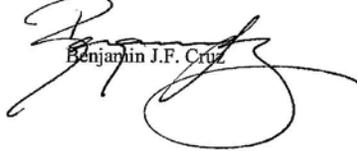
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Marine Fisheries Service, the Office of Protected Services, the International Union for Conservation of Nature, and various universities specializing in marine biology enough to quantify that destroying a coral reef will result in the extinction of these turtles? Furthermore, the decision to include a "revised sea turtle impact analysis" in the final EIS undermines the National Environmental Policy Act, and further, it makes the DEIS into a perfunctory document.

Volume 7 Chapter 2 Overview of Best Management Practices and Mitigation Measures generalizes methods for mitigating the impact noise, construction, lighting, and silt curtains will have on the green and hawksbill turtles. However, no discussion occurs related to the vastly negative impacts dredging an area of Apra Harbor the size of 21 Micronesia Malls will have on the habitat of the turtles. Perhaps DoD should have done a study to determine whether dredging 39 acres of Apra Harbor will ultimately render the green and hawksbill turtles extinct on Guam.

Despite a wealth of scientific data related to the green and hawksbill turtles, DoD has chosen to ignore the negative impact dredging 39 acres of Apra Harbor coral will have on the turtles. For that reason, I propose No Action for the military buildup.

Sincerely,



Benjamin J.F. Cruz

February 9, 2010

JGPO c/o NAVFAC Pacific  
 258 Makalapa Drive, Suite 100  
 Pearl Harbor, HI 96860-3134  
 Attention: GPMO

**K-157-001 Re: Volume 7 Chapter 3 Preferred Alternatives: Summary of Impacts**

Sociocultural Impacts

*Crime and Serious Social Disorder*

While there is particular concern on Guam because of media reports about Marine Corps personnel accused of rapes and other crimes in Okinawa, the available evidence suggests that military crime rates have been generally low. Isolated incidents have tapped a deeper vein of issues related to “foreign” military occupation, noise, accidents, and a disproportionate presence of all American forces in Japan, particularly in Okinawa.

However, military forces in general do appear to have high rates of alcohol/substance abuse (though some of this may be related to youth) and family-related offenses against women and children. Older Guam residents remember violent military-civilian conflicts when the military presence was greater during the Vietnam War era. Construction “booms” are often associated with a sense of disorder and sometimes actual crime. Although the exact extent of in-migration from the Freely Associated States (FAS) of Micronesia (in response to expanded economic opportunity) can be neither predicted nor controlled, Guam police data indicate disproportionate arrests from that in-migrant group, reflecting issues of adjustment to different cultural norms. To the extent that the non-Chamorro Micronesians become a greater percentage of the population, crime rates would probably rise to some extent until acculturation progresses.

**Comment:** The first sentence of the first paragraph belies the fact that crime will increase. Despite DoD’s “zero tolerance” stance, historically prostitution has been more prevalent around military bases. The problem is not large on the island of Guam, but it is sure to increase based not only on the population increase, but also because of Navy personnel on liberty.

**K-157-001**

Thank you for your comment. There are many reasons why the Marines (about half) are being moved from Okinawa. This discussion is provided in section 3.5.2 of the Socioeconomic Impact Assessment Study (SIAS) that is in Appendix F, Volume 9 of the Draft EIS. Serious crimes by military personnel in Okinawa are committed at a lower rate than the overall civilian population in Okinawa, despite reports to the contrary. Many serious crimes are based on singular incidents that are reported multiple times so that it appears to be multiple incidents.

The impacts of crimes on Guam are discussed in Volume 2 of the FEIS. As noted in the SIAS: "A critical distinction when analyzing crime impacts is between the total numbers of crimes ("volume of crime") and the actual crime rate (numbers divided by population). Population increases always bring with them increases in the volume of crime, but the crime rate would increase only if new populations are disproportionately likely to commit crimes."

The DoD acknowledges that any increase in population, such as the one that these proposed actions would cause, may be accompanied by a proportionate increase in crime and social disorder. The DoD also acknowledges that widely publicized instances of military crime in Okinawa cause Guam residents to be concerned about possible repercussions on the island brought about by the increase in military population on Guam. The increase in population during the construction phase of the build up is recognized as a time for concern for increases in incidents of crime. Moreover, it is also acknowledged that the age group of many military personnel is often characterized as prone to conflicts and misbehavior. DoD educates its service men and woman on good behavior and will act promptly and rigorously to curtail any misconduct and enforce laws to protect the citizens of Guam and our military personnel.

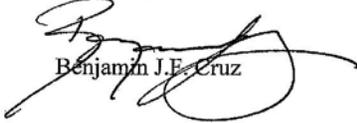
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Drug and substance abuse will increase. This will be a result of the population increase and general stresses on the community. Due to the massive influx of cargo to support the military buildup, unrealized drug smuggling into Guam will occur. As a result, crystal methamphetamine use may become more prevalent.

Alcohol abuse, especially binge drinking, will grow with additional military personnel and Navy sailors on liberty. Among the crimes associated with alcohol are drunken driving, assault, robbery, larceny, rape, attempted murder, murder, sexual assault, child abuse, domestic violence, and fighting between military personnel and civilians.

Military personnel living off and on base will further burden our understaffed police force and supporting agencies when they break the law. DoD must channel additional funds into Guam's crime prevention agencies and judicial agencies for qualified staff, infrastructure, counseling, state of the art criminology equipment, and vehicles. DoD must provide Guam crime prevention agencies and judicial agencies grant opportunities to assist with the military buildup. As DoD and the DEIS provide no clear methodological approach for assisting Guam's crime and judicial prevention agencies via funding or grant opportunities, I recommend No Action for the military buildup.

Sincerely,



Benjamin J. Cruz

February 9, 2010

JGPO c/o NAVFAC Pacific  
258 Makalapa Drive, Suite 100  
Pearl Harbor, HI 96860-3134  
Attention: GPMP

K-158-001 Re: Volume 5 Chapter 2 Proposed Action and Alternatives

### 2.1 Overview

Patriot Missiles target cruise missiles and air breathing threats that threaten the THAAD or other civilian or military assets on Guam. This weapons system is a point defense option with limited range designed to strike threat aircraft, unmanned aerial vehicles, and cruise missiles just before impact. This system utilizes hit-to-kill technology.

### 2.3.3.3 Training

Two major categories of training would be required: individual/crew and collective. Individual/crew training would include basic rifle marksmanship and crew-served weapons training. Training ranges on Guam and in the Commonwealth of the Northern Mariana Islands (CNMI) are considered joint use, i.e., available to all U.S. forces. Consequently, the Army would utilize ranges within the Mariana Islands Range Complex (MIRC) for this type of training. Collective training and certification would be required for the Army AMDTF. Routine crew training on all aspects leading up to and through a launch would be required for THAAD, Patriot, and SLAMRAAM weapons systems. These training exercises would be conducted at the Army facilities and no training-specific facilities would be required. No live-fire missile launch training exercises would occur on Guam or in the CNMI.

**Comment:** Numerous reports, including a Congressional analysis, have concluded the Patriot missile has “very high fratricide levels.” In friendly airspace during the Iraq War, the Patriot missile destroyed and killed two men aboard a British Tornado in 2003. On April 2, 2003, a Patriot Missile shot down a U.S. Navy F/A-18C Hornet fighter jet killing the pilot.

## K-158-001

Thank you for your comment. Missiles would not be launched as part of training; they would only be deployed in defense of Guam against actual ballistic missile threats. Therefore, missile launches are not part of the proposed action. The intent of the proposed Army Air and Missile Defense Task Force component of the proposed action is to protect the territory of Guam, its citizens, and U.S. forces on Guam from the threat of harm from ballistic missile attacks from other countries and enemies of the U.S. Defense of Guam will continue to be a focus of the DoD.

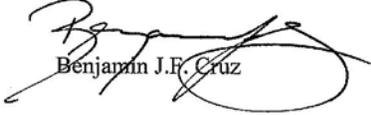
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Regarding training, the DEIS seems to simultaneously indicate that routine training on the THAAD, Patriot, and SLAMRAAM would go through “all aspects leading up to and through a launch,” but “no live-fire missile launch training exercises would occur on Guam or in the CNMI.” This lack of clarity combined with the Patriot missiles history of unreliability is disconcerting. The Patriot may identify and destroy a friendly commercial aircraft, tour helicopter, or small plane despite FAA sanctioned Special Use Airspace. The Patriot may miss or ricocheted off a target and destroy a home, school, or general infrastructure in a populated area. A Patriot experiencing mechanical problems during a training exercise may land unexploded in the earth until a disturbance causes it to explode. A misfired Patriot missile may land in a forested area to explode and cause a forest fire. A misfired Patriot missile may crash into a coral reef and cause substantial damage to the ocean ecosystem. Furthermore, the same problems with fratricide in the Patriot missile may occur with the THAAD and SLAMRAAM due to unforeseen technological error.

The DEIS does not provide clear analysis of the environmental hazards associated with the THAAD, Patriot missiles, and SLAMRAAM. The chemical components used in the propulsion system of the THAAD, Patriot, and SLAMRAAM may be hazardous to the environment. Cleansing materials used in the maintenance of the THAAD, Patriot missiles, and SLAMRAAM may be hazardous to the environment. The vehicles used to transport the THAAD, Patriot missiles, and SLAMRAAM may be prone to leaking fluids or hazardous materials as a result of the violence associated with firing the three missile components. The combined firing of the THAAD, Patriot missiles, and SLAMRAAM with bullets at a firing range may contribute significantly to toxic pollution in the soil.

The DEIS fails to address fratricide problems associated with the Patriot Missile. The DEIS is not clear about FAA sanctioned Special Use Airspace and it provides no data to substantiate the safety of the three missile components in the airways, land, and surrounding ocean of Guam. No mitigation or safety concerns are addressed in relation to the negative ramifications the three missile components may have on the environment. Furthermore, the loss of life based on an accidental misfire of the three missile components is incapable of being quantified in either the DEIS or the final EIS. Therefore, I propose No Action for the military buildup.

Sincerely,



Benjamin J.F. Cruz

February 11, 2010

JGPO c/o NAVFAC Pacific  
258 Makalapa Drive, Suite 100  
Pearl Harbor, HI 96860-3134  
Attention: GPMO

**Re: Volume 7 Chapter 3 Preferred Alternatives: Summary of Impacts**

K-159-001

The risk of a radiological and aircraft incident would be higher under the preferred alternative on Guam as a result of aircraft carrier berthing on the island and because more military aircraft would be in operation.

Comment: This is a troubling statement. The U.S. Navy has a history of radiation spills on Guam dating to early 1950 when they would routinely wash their vessels. In 2008, the U.S.S. Houston spilled radiation into Apra Harbor for over a year before it was detected. The Navy uses antifouling paints with Tributyltin (TBT) as the active ingredient because it is a biocide used to fight a broad range of microorganisms that attach themselves to ship hulls, docks, and buoys. It is reasonable to theorize that increased Navy ships and support ships along with cargo carrying barges and tugboats will increase the probability of radiological spills in the ocean due to maintenance spills, collisions, accidents, or gross oversight. Additionally, ships, barges, and tugboats will incur paint flaking when they dock against a port or when guided into a port. Toxic chemicals may seep into the sediment and soil of Apra Harbor. After dredging, this sediment will be disposed of in upland and offshore disposal areas where it will further pollute land and ocean resources.

Aircraft incidents are a problem because the influx of military aircraft may create problems in FAA sanctioned airspace due to smaller flight plans in reduced airspace, miscommunication between air traffic controllers and pilots based on increased air traffic, or a shortage of air traffic controllers whose workload is flooded by increased aircraft. The result could be a midair collision with a commercial aircraft, tour helicopter, or small aircraft. This may cause loss of life, destruction to a home, or destruction to

**K-159-001**

Thank you for your comment. Relating to your comments on radiation; Volume 4, Chapter 18 indicates that all Naval Nuclear Propulsion Program (NNPP) activities have plans in place that define responses to a wide range of emergency situations. These plans are regularly exercised to ensure that proficiency is maintained. These exercises consistently demonstrate that Navy personnel are well prepared to respond to emergencies regardless of the location. Actions are taken to continually evaluate and improve emergency preparedness. If a radiological emergency occurs, civil authorities would be promptly notified and kept fully informed of the situation. Local civil authorities would determine appropriate public actions, if any, and communicate this information via their normal emergency communication methods. The DEIS does not identify specific funding sources for training, and equipping public emergency responders. The Navy conducts environmental monitoring in harbors frequented by its nuclear powered ships to provide assurance that procedures used by the Navy to control radioactivity are effective to protect the environment. Samples from the harbor are also checked at least annually by a DOE laboratory to provide a further check on the quality of the environmental sample analyses as a check of Navy results. Marine monitoring consists of analyzing harbor water, sediment, and marine life for radioactivity. This monitoring is supplemented by shoreline surveys.

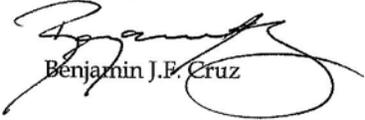
Relating to aircraft accidents; Volume 2, Chapter 7 defines airspace and potential impacts as a result of military operations on Guam. Airways are established routes used by military aircraft, commercial aircraft, and general aviation aircraft. They are the flight paths on which aircraft travel through airspace similar to land highways. Air traffic refers to movements of aircraft through airspace. Safety and security factors dictate that use of airspace and control of air traffic be closely regulated. Accordingly, regulations applicable to all aircraft are promulgated by the FAA to define permissible uses of designated airspace. The FAA also controls the use

K-159-001

infrastructure. Additionally, training exercises for the three missile components, the THAAD, Patriot missile, and SLAAMRAAM, may further burden airspace. This fact is more pronounced in light of the “very high fratricide levels” surrounding the Patriot missile as reported in a Congressional analysis. Adding to the dilemma is that as the population increases, building upward to support Guam’s future organic growth may become more prevalent. Therefore, aircraft crashing into high-rise offices and high-rise apartments should be considered as a probability in the near future.

Overall, it is obvious that Guam is far too small to support an influx of military personnel, their families, construction laborers, and its organic growth in the next 20 years. Adding warplanes, helicopters, and missiles makes flying in and out of Guam’s highly populated airspace risky for travelers. Erosion runoff from upland disposal of radioactively tainted dredge, the eradication of the Apra Harbor reef, and the smothering of aquatic fauna and flora by dredged silt in an ocean disposal site for the dubious benefit of docking Navy ships creates additional problems. The DEIS proposes nothing to mitigate the hazards associated with radiation spills from Navy ships, aircraft incidents, missiles, or toxic pollution either upland or in an offshore ocean disposal site. Therefore, I propose No Action for the proposed military buildup.

Sincerely,



Benjamin J.F. Cruz

of airspace. These regulations are intended to accommodate the various categories of aviation, whether military, commercial, or private aviation enthusiasts. The regulatory context for airspace and air traffic varies from highly controlled to uncontrolled within Guam and the CMNI. Less controlled situations include flights under Visual Flight Rules (VFR) or flights outside of U.S. controlled airspace. Examples of highly controlled air traffic situations are flights in the vicinity of airports where aircraft are in critical phases of flight (either take-off or landing) and flights under Instrument Flight Rules (IFR), particularly flights on high or low altitude airways. Special Use Airspace (SUA) is specially designated airspace that is used for a specific purpose and is controlled by the military unit or other organization whose activity established the requirement for the SUA. SUA in and surrounding Guam includes Restricted Areas (RAs) and Warning Areas (WAs). Under the proposed action, existing air traffic control procedures would continue. Some flight activities would be accomplished under VFR conditions and along random routes that would not impact commercial or general aviation flying. Military pilots avoid flying over populated areas as much as possible in order to minimize overflight complaints.

Regarding your comments on the Army’s AMDTF; Volume 5, Section 2.3.3.3 indicates that collective training and certification would be required for the Army AMDTF to ensure proficiency with the missile systems. Routine crew training on all aspects leading up to and through a launch would be required for THAAD, Patriot, and SLAMRAAM weapons systems. No live-fire missile launch training exercises would occur on Guam or in the CNMI. Therefore, because no missile launch activity would occur as part of training exercises, there would be no potential for missing a target or having an unexploded missile impact on Guam or CNMI.

In areas of higher population densities, uses do need to be considered so that they do not encroach on each other. DoD plans to maintain uses

is a manner that is considerate of the people of Guam while meeting its military and defense objectives.

February 12, 2010

JGPO c/o NAVFAC Pacific  
258 Makalapa Drive, Suite 100  
Pearl Harbor, HI 96860-3134  
Attention: GPMO

K-160-001

Re: Volume 6 Chapter 2 Proposed Actions and Alternatives

The planned replacement for the GovGuam Ordot Dump is the new GovGuam Layon Landfill. The proposed site is located in Layon near the village of Inarajan, in the higher badland (highly eroded rocky) areas on the west side of the Dandan parcel, southwest of the former National Aeronautics and Space Administration (NASA) tracking station. Construction of the new facility began on February 25, 2009, and the landfill is expected to be ready for acceptance of solid waste by July 2011 (Gershman, Brickner, & Bratton 2009a). The Layon Landfill was designed to accommodate solid waste from all current and future DoD sources as well as civilian and commercial sources. The Layon Landfill would have a capacity of 15.8 million cubic yards (yd<sup>3</sup>) (12.1 million cubic meters [m<sup>3</sup>]) of solid waste as presented in the GEPA Draft Municipal Solid Waste Landfill Facility Permit (GEPA 2009).

**Comment:** GovGuam is diametrically opposed to forced land acquisition, eminent domain, or condemnation for road widening. The DEIS does not account for roads and bridges that will require widening and reinforcement to meet the demands placed upon them by numerous heavy rig pulled trailers.

K-160-002

Regarding rig pulled trailers, the DEIS does not account for road improvements, road maintenance, or road refurbishment resulting from damage incurred by massive rig pulled trailers. The DEIS provides no method from DoD for paying for road improvements, road maintenance, or road refurbishment. The DEIS provides no viable estimate for how many massive rigs will traverse the island on a daily basis to and from Layon from a multitude of construction locations (12 trucks daily is the estimate). The DEIS has no calculations for how many massive rigs of trash will come from normal civilian related activities in addition to those

K-160-001

Thank you for your comment. The estimated additional truck traffic to Layon landfill will not cause traffic congestion or any sudden degradation to the pavement. The DPW has projects under development to address the requirements of the solid waste transfer vehicles.

K-160-002

Thank you for your comment. The estimated additional truck traffic to Layon landfill will not cause traffic congestion or any sudden degradation to the pavement. When considering impacts to pavement conditions or structural capacity, it is measured in equivalent single load axles (ESALs). Route 4 improvements to accommodate the trucks going to the new landfill is part of Guam DPW's transportation improvement program. It should be noted that solid waste trucks are closed to prevent trash from blowing off the truck and ruining the native beauty. Other impacts from the development of the landfill at Layon should have been addressed in the planning for that project, which is not part of this EIS.

K-160-002

from the military projects. The DEIS does not account for traffic congestion created by massive rigs traveling to and from Layon from various military and civilian related tasks. The DEIS does not discuss the impact unsightly trash trucks will have on tourists traveling around our exotic island. The DEIS makes no mention for how to mitigate the loss of beautiful island ambiance around Guam resulting from massive rigs littering the island with debris, pollution, and congestion. The DEIS does not provide a comprehensive mitigation policy to account for trash spilled inadvertently from massive rigs. The DEIS is devoid of a mitigation policy related to the amount of residual fluids like diesel, transmission fluid, oil, grease, carbon monoxide gas, filthy trash fluids, chemical trash fluids, or methane gases derived from trash that will pollute Guam. The DEIS has no best management practices proposed to mitigate runoff created when tons of trash are moved daily across the island to Layon. The DEIS fails to account for damages roads across the island will incur as a result of tons of trash being moved in massive rigs. The DEIS does not estimate or provide mitigation for extra CO2 that will be pumped into our atmosphere resulting from massive rigs. The DEIS provides no solution for the economic dollars the island will lose as a result of tourists avoiding Guam based on massive trash filled rigs roaming the islands roads.

The DEIS is oblivious to the problems associated with the Layon landfill, its massive heavy rigs pulling containers full of trash, pollution from trash and rigs, lost roads, and lost tourism. Furthermore, it is impossible for the DEIS or EIS to account for the added irreversible environmental damage our island will incur because of trash generated by the military buildup. Therefore, I request No Action for the proposed military buildup.

Sincerely,



Benjamin J.F. Cruz

February 12, 2010

JGPO c/o NAVFAC Pacific  
258 Makalapa Drive, Suite 100  
Pearl Harbor, HI 96860-3134  
Attention: GPMO

K-161-001 Re: Volume 6 Chapter 2 Proposed Action and Alternatives

Table 2.2-13 compares sustainable yield estimates of the NGLS (CDM 1982) and Barrett (1991) reports for each subbasin, and presents current estimates of well production and available yield. The majority of the Andersen and Agafa-Gumas subbasins lie beneath existing DoD property (Andersen AFB and Northwest Field). Additionally, a substantial portion of the Finegayan subbasin lies below the Naval Communication Station property abutting the Northwest Field to the south. The yield estimates presented here use the yield estimates presented by Barrett (1991) as the basis for determining available yield (Jensen 2006).

**Comment:** This passage in the DEIS and the extensive Table 2.2-13 do not account for the effects of sea level rise due to global warming. Numerous studies from scientists worldwide have enunciated the problems associated with global warming. While studies vary in predicted rate of sea level rise, they all agree that ocean levels will rise worldwide on a yearly basis and the process will continue into the future.

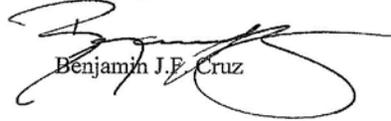
As sea levels rise on Guam, our aquifer may become inundated with salt water thereby affecting sustainable yield. The process of saltwater intrusion is especially egregious on a small island where the water resources are limited. Runoff is an added problem on Guam due to our rainfall levels and existing erosion problem. If rainfall intensity exceeds the soil's infiltration rate, the water will begin to accumulate at the ground surface. The accumulating water causes a thin layer of water to form. This water layer begins to move downslope due to gravity. The flowing water accumulates into larger depressions on the ground surface. These depressions fill up and overflow forming small rills. The rills join to form larger streams and rivers. The streams and rivers flow until they eventually empty into lakes or oceans. Runoff adds to the problem of sea level rise that is in part derived from global warming.

### K-161-001

Thank you for your comment. The University of Guam provides analysis of the aquifer responses to sea level change and recharge in a November 2007 study. Climate change may impact the success of production wells in the future (e.g., the placement of the well screen may not be optimal if the sea level rises or falls). Given the uncertainty of climate models including lack of information that is directly applicable to northern Guam and lack of specificity regarding the time and degree of impacts to conditions impact the aquifer, the DoD wells will be installed based on current conditions. Monitoring will be conducted during well operation. If production or water quality declines over time, DoD will take actions to mitigate the impacted wells. An analysis of global climate changes and their impacts as they relate to the proposed military relocation, including affects to the aquifer, are included in Volume 7 of the FEIS.

K-161-001 The DEIS makes no mention of the problems associated with global warming, rising sea levels, runoff, or their environmental impact on our freshwater aquifer. I recommend a complete rewrite of all Volumes and Chapters of the DEIS related to Guam's aquifer so that they contain complete scientific data related to global warming, rising sea levels, runoffs and their affect on Guam's precious freshwater aquifer. Until that task is complete with comprehensive scientific data compiled from a myriad of credible scientific studies and resources, I propose No Action for the Military Buildup.

Sincerely,



Benjamin J. Cruz

February 15, 2010

JGPO c/o NAVFAC Pacific  
 258 Makalapa Drive, Suite 100  
 Pearl Harbor, HI 96860-3134  
 Attention: GPMO

**K-162-001** Re: **Volume 8 Chapter 5 Relationship Between Short-Term Use of the Environment and Long-Term Productivity**

**5.13.1.4 Solid Waste**

The solid waste management alternative would not involve any change to existing facilities. The existing Navy sanitary landfill at Apra Harbor would continue to be utilized until the new public landfill at Layon is completed and open for use, which is anticipated to be by July 2011. At that time, DoD would take all their solid waste to the new Layon Landfill per the agreement with GovGuam. Implementing this solid waste alternative is not anticipated to affect the short-term productivity of the environment.

**5.13.2.4 Solid Waste**

The long-term solid waste management alternative would include utilizing the planned new Government of Guam landfill, which is currently being constructed.

**Comment:** The "National Environmental Policy Act Section 101 2(c)(iv) requires a detailed statement on the relationship between local short-term uses of man's environment and the maintenance and enhancement of long-term productivity." Both of the tables above highlight DEIS comments and neither meet the NEPA mandates for short or long term uses of man's environment and the maintenance and enhancement of long-term productivity.

**K-162-001**

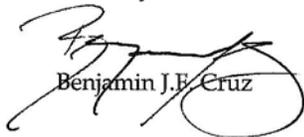
Thank you for your comment. Volume 8 of the DEIS does discuss the short-term use of the environment and long-term productivity for solid waste impacts. The reliance on the Government of Guam landfill is noted for the long-term use. The impact and long-term productivity of the Government of Guam landfill would be discussed specifically in the EIS for the landfill. This EIS was prepared by the Guam Department of Public Works and the Guam Environmental Protection Agency. The U.S. Environmental Protection Agency (USEPA) accepted the preferred site (Dandan) in a February 14, 2005 letter; this letter indicated the completion of the EIS process in November 2004.

K-162-001

The DEIS fails to account for the impact massive rigs pulling trailers of trash will have on the environment, tourism, pollution to the aquifer, increased CO2, and traffic congestion. Additionally, the DEIS fails to analyze how significant daily traffic from massive rigs pulling trailers of trash will affect Route 4. Route 4 is mostly at sea level. This means massive rigs losing oil, diesel, grease, rubbers, and gritty highly toxic garbage fluids loaded with chemicals and heavy metals from their trailers of trash, will quickly pollute areas in direct proximity to beaches. This will adversely affect the living conditions of residents in the area, tourists enjoying beaches, and pollutants will coalesce with runoff and erosion to smother the reef. Unsightly smelly trash and chemical runoff will clutter and pool in obvious and unobvious areas. Residents whose diet and living depend on what they harvest from the ocean may find their livelihood and sustenance threatened. Additionally, noise from massive rigs and CO2 in the air may cause irreparable harm to residents and the fauna and flora in the area along Route 4.

The DEIS does not provide a detailed environment analysis of the daily impact massive rigs pulling trailers of trash, garbage truck dumpsters, garbage trucks, and residents hauling trash to and from Layon Landfill will have on the environment, its impact on tourism, or the potential for destruction of the ocean areas along Route 4. I recommend a comprehensive rewrite of the entire DEIS in relation to solid waste, Layon Landfill, and trash hauling effects on Route 4, residents, roads, and tourists. Furthermore, these recommendations would follow the mandates of NEPA. Until these requests are met, I recommend No Action for the proposed military buildup.

Sincerely,



Benjamin J. Cruz

February 15, 2010

JGPO c/o NAVFAC Pacific  
258 Makalapa Drive, Suite 100  
Pearl Harbor, HI 96860-3134  
Attention: GPMP

K-163-001 Re: Volume 6 Chapter 6 Water Resources

**Potential Mitigation Measures**

**Summary of Impacts 6.2.5.2**

Implementation of the Preferred Alternative has the potential to contribute to continued contamination of the underlying groundwater. However, the landfill is located over aquifers not used for supplying drinking water, thus any leachate that might percolate into the aquifer would not affect regional groundwater drinking quality or quantities. Surface waters, nearshore waters, and wetlands would not be affected by continued use of the Navy Sanitary Landfill. Therefore, less than significant impacts to water resources would occur under the Preferred Alternative.

**Comment:** For a Preferred Alternative, this is an extremely shortsighted recommendation. Leachate is quite pernicious because it may embody a multitude of substances from large and small businesses and residential areas that contain various hazardous substances from oils to diesel, gasoline, assorted household cleaners, and contaminated soils. Leachate may be extremely toxic with high levels of chemicals, pesticides, solvents, and heavy metals. Moreover, leachate from the Navy Sanitary Landfill may contain highly toxic materials like depleted uranium, chemical ordinance, lead, radiation, Agent Orange, and chemicals used in the maintenance of military machinery.

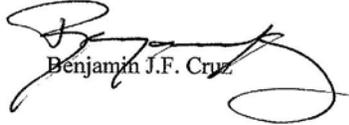
Despite a dry season, rainfall occurs throughout the year on Guam. Leachate produced when water filters downward through a landfill may become contaminated with dissolved materials and contaminated wastes. As a result, leachate released into groundwater may render an aquifer unusable for drinking water and other purposes. Furthermore, leachate impacts to groundwater may present a danger to animal species, aquatic species, nearshore waters, wetlands, and plant life in the area.

**K-163-001**

Thank you for your comment. As described in the Final EIS in Volume 4, Section 4.2.2.1, a leachate pathway analysis was conducted for dredged material placement at the Field 5 upland placement site as part of the Environmental Assessment (EA) for Alpha and Bravo Wharves. No contaminants of concern were discovered in the leachate that would exceed the Guam Environmental Protection Agency Water Quality Standards for groundwater, and no engineering controls at the upland placement site were required. Because the dredged material to be generated in this action would be similar to that evaluated for the Alpha and Bravo Wharf EA, the impacts to groundwater are expected to be similar. Furthermore, the potential sampling and analysis of dredge materials would be developed through agency coordination and permitting. BMPs and mitigation measures identified in the EIS are listed in Volume 7, Chapter 2.

K-163-001 I must remind DoD that aquifers not currently used for drinking water are a resource for residents in the future. Therefore, it is imperative for DoD to take all the steps necessary to ensure that contaminated leachate does not pollute Guam's water resources. As this is the Preferred Alternative, I recommend that DoD draft a new DEIS that clearly defines a course of action for preventing polluted leachate from the Navy's Sanitary Landfill from entering into Guam's water resources. I recommend a new DEIS that clearly defines best management practices to prevent further pollution of Guam's water resources. I recommend that the new DEIS provide a clear set of mitigation policies for pollutants currently inundating Guam's water resources by the Navy's Sanitary Landfill. Until these requests have been met, I recommend No Action for the proposed military Buildup.

Sincerely,



Benjamin J.F. Cruz

February 17, 2010

JGPO c/o NAVFAC Pacific  
258 Makalapa Drive, Suite 100  
Pearl Harbor, HI 96860-3134  
Attention: GPMO

K-164-001 Re: Volume 6 Chapter 4 Roadways

**Existing Public Transportation**

The discussion of existing conditions in this section would focus on the Guam Mass Transit System in the Central Region. Figure 4.1-7 illustrates the fixed routes and DRS areas for the Central Region. Note that all of the Monday through Friday fixed routes originate at Chamorro Village, that is located in Hagatna. The fixed routes included in the Central Region are Blue Line, Blue Line 2, Red Line 1, Express Line, Green Line 1, and Grey Line 4. The DRS areas located in the Central Region are Grey 2, Grey 3, Red 1, Red 2, Green 1, and Green 2. These routes provide service Monday through Saturday only, and all observe the normal 5:30 a.m. to 7:30 p.m. hours of service.

**Comment:** The existing Guam Mass Transit system is woefully inadequate for the current population. It will not stand up to further demands related to the military buildup. Adding to the problem is that the current buses in operation are old, prone to mechanical failures, environmentally unfriendly, and expensive to upkeep. Bringing in new buses may assist in mitigating congestion, but their voluminous size on an island may increase congestion and pollution.

As DoD leads the world in new technology and innovation, I recommend the DEIS provide a comprehensive funding plan to the Department of Public Works (DPW) for electric Rapid transit or Personal rapid transit. I recommend additional funding for proper training of drivers and funding for mechanical training. Funding must be made available for maintenance

**K-164-001**

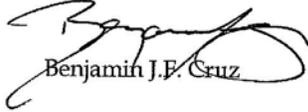
Thank you for your comment. The 2030 Guam Transportation Plan outlines recommendations for an improved mass transit system on Guam. These recommendations included forming the Guam Mass Transit Authority and implementing high-capacity bus service on the island. In late 2009/early 2010, the Guam Regional Transit Authority (GRTA) was formed and will now be responsible for all public transit functions. The GRTA approved the Guam Transit Business Plan in January 2010, which includes purchasing new buses, constructing a bus maintenance facility, and modifying the bus schedule.

K-164-001

and administrative support facilities to meet the demands of an increased population.

DPW and DoD must work together to provide a route plan that connects major population and employment sectors in all directions of the compass. Areas of key importance include routes to and from Tumon, Apra Harbor, Dededo, Yigo, Anderson Air Force Base, the Naval Base, all key shopping areas, Hagåtña, and GovGuam agencies. Additionally, the route plan must include service times of 18 hours per day (6:00AM - 12:00AM). Until this request is met, I recommend No Action for the proposed military buildup.

Sincerely,



Benjamin J. Cruz

February 10, 2010

JGPO c/o NAVFAC Pacific  
 258 Makalapa Drive, Suite 100  
 Pearl Harbor, HI 96860-3134  
 Attention: GPMO

**K-165-001**    **Re: Volume 7 Chapter 2 Overview of Best Management Practices and Mitigation Measures – Item 12**

Item	BMP	Description
12	Hazardous Materials Management Plans (HMMP)	<ul style="list-style-type: none"> <li>• Implement routine firing clearance operations (e.g., annually or as needed) to mitigate munitions and explosives of concern (MES's).</li> <li>• Implement land use controls, fencing, signage, and other means to ensure no unauthorized access to the firing ranges.</li> </ul>

**Comment:** This section of Chapter 2 does not discuss land. However, land use must be limited to the existing footprint of federal land holdings. Furthermore, no forced land acquisitions are permitted and no eminent domain or condemnation is permitted to acquire land for firing ranges.

**K-165-001**

Thank you for your comment. A range management plan will be developed for firing ranges that will address access, security and range maintenance.

DoD was required to determine whether military relocation requirements could be met by excess, underutilized or otherwise available property held by DoD on Guam. Early development plans attempted to keep all activities on existing DoD lands. However, as discussed in the FEIS (Volume 2, Chapter 2), after applying operational and environmental screening criteria, no contiguous DoD area on Guam was identified that could support all the land use and operational requirements of the action.

Should DoD determine that additional land is necessary to meet its requirements, DoD policy requires that it negotiate with affected public and private land owners in good faith, seek agreements to acquire desired lands interests and pay fair market value. Where circumstances exist that require resolution of issues such as ownership or value, procedures exist under eminent domain authority to resolve those questions. Eminent domain requires reimbursement at fair market value.

K-165-002

Environmentally, firing ranges are a major concern. The above portion of the table taken from Volume 7 Chapter 2 and the entire DEIS perfunctorily promote safety without discussing best management practices related to environmental contamination resulting from spent bullets. Lead is an insoluble natural grayish soft metal found in the earth's crust and it is a hardening agent in bullets. Harmful exposures to lead can occur from inhalation of lead dust or fumes, and ingestion of lead contaminated food and water. Lead can accumulate in human, animal, and plant tissue and can cause chronic health effects.

Often bullets are fragmented and pulverized when they hit berms, backstops, or bullet traps on a firing range. Daily operation of a range will produce lead concentrations of several percent (one percent equals ten thousand parts per million) in soil and vegetation in the area around berms, backstops, and bullet traps. In addition to lead, antimony, copper, and zinc are secondary contaminants associated with firing ranges.

Lead contamination in soils at firing range sites is transported in various ways. Airborne Particulate Lead consists of tiny particles that will drift in wind, float in dusty foot traffic, or during general maintenance activities associated with weapons or transport vehicles in the area of firing ranges. Airborne particles and fine particles known as microns are ingested incidentally via inhalation. As Guam is windy location in the Pacific Ocean, both military personnel and residents will ingest microns.

K-165-003

Guam has an erosion problem. Stormwater runoff associated with rainfall, tropical storms, and typhoons will further contribute to the erosion while transporting soil loaded with lead particles away from a firing range. Despite best management practices, rainfall intensity, ground slope, soil type, and various obstacles like trees, vegetation, homes, and general structures, will influence the transport of lead contaminated soil away from a firing range. Because lead, antimony, copper, and zinc tend to adhere to shallow soil, the result may be bioaccumulation and bioconcentration of insoluble lead in groundwater and surface water that may adversely affect drinking water. Additionally, ongoing construction activities combined with an increased population for the military buildup may contribute added sedimentation and debris. This may result in exacerbating the erosion problem on Guam thereby making the spread of lead, antimony, copper, and zinc easier to transport around best management practices.

K-165-004

Volume 7 Chapter 2 discusses the Clean Water Act, but only in relation to Municipal Separate Storm Sewer Systems, Construction Activities, and Industrial Activities. No mention is made of the hazards associated with lead or the chemicals found in the shell casings of bullets like antimony, copper, and zinc. Considering Guam will have 10,552 marines practicing war at firing ranges by

## K-165-002

Thank you for your comment. The DoD and regulatory agencies are equally concerned about preventing contamination of surface waters and groundwater (particularly drinking water aquifers). The EIS describes numerous programs and actions that will be taken to protect surface waters and groundwater from potential contaminants. Refer to Volume 9, Appendix D, Project Description Technical Appendix, Munitions, for a discussion of the munitions and constituents of concern associated with the proposed ranges.

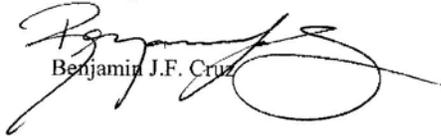
The proposed ranges will be designed and maintained in accordance with all applicable federal and Government of Guam regulations. Specifically, Military Handbook 1027/3B contains procedures for reducing potential impacts from ranges through the implementation of BMPs. These include periodic clean-up of unexploded ordnance (UXO), introducing soil amendments, vegetation management, engineering controls, instituting contaminant monitoring, reclaiming, and recycling. With ranges, lead is the primary leaching contaminant of concern and best management practices can minimize or prevent leaching of this constituent. Impact rounds from pistol rounds generally stay intact and impact rounds from rifle rounds often fragment. Intact rounds and rounds fragmented into relatively large pieces are not easily transported by natural transport mechanisms. Through the proper design of ranges, application of BMPs, and monitoring, the potential for groundwater contamination would be minimized. BMPs can reduce or eliminate the leaching of lead to the environment. These procedures include controlling soil pH to between 6 to 8 to prevent dissolution of lead, mining of lead from back stop berms, implementing a soil leaching monitoring program, and adding phosphate containing soil amendments to bind dissolved lead to the soil. Prior to building the ranges, an engineering study would determine the minimum depth of soil cover to ensure sufficient soil cover of the limestone, and to assess the suitability and optimum technique to add soil amendments such as phosphate to

K-165-004

2020, mitigating lead poisoning for residents should be among the top concerns of DoD. However, I find nothing in the DEIS in relation to lead poisoning or its pernicious affects on children that include slow growth, learning difficulties, abdominal pain, vomiting, constipation, anemia, and learning difficulties. In adults, the problems include muscular weakness, miscarriage, premature birth, stillborn children, and birth defects in offspring.

The final EIS should include comprehensive mitigation plans for cleaning up firing ranges and preventing runoff due to erosion in and around firing ranges. A final EIS must include mitigation of the potential for lead poisoning through a detailed brochure/pamphlet or DVD for residents and military personnel. Additionally, DoD should provide funding to the Guam Memorial Hospital and all of Guam's medical agencies for lead poisoning mitigation. DoD should provide grants to Guam's health agencies to mitigate lead poisoning derived from firing ranges. DoD should fund the Department of Public Works for specific environmentally friendly best management practices to mitigate stormwater runoff and curb Guam's current erosion problem. In fact, a new DEIS specifically related to firing ranges, lead and chemical pollution from fired bullets, cleaning up firing ranges, and preventing runoff due to erosion in and around firing ranges is necessary. As DoD has taken none of these actions, I recommend No Action for the military buildup on Guam.

Sincerely,



Benjamin J.F. Cruz

prevent lead leaching. In addition, when percolating water reaches the porous limestone the pH will increase, encouraging the precipitation of lead out of solution. The DoD will monitor for selected contaminants of concern. If monitoring identifies significant impacts, such as indications that chemicals of concern may exceed regulatory standards, reduce beneficial uses, result in adverse human or environmental health effects, or conflict with federal or Government of Guam regulations, then additional action would be taken to address these impacts.

**K-165-003**

Thank you for your comment. DoD and regulatory agencies are equally concerned about preventing contamination of surface waters and groundwater (particularly drinking water aquifers). The EIS describes numerous programs and actions that will be taken to protect surface waters and groundwater from stormwater runoff. Construction of new facilities will use Low Impact Development (LID) principles to the extent practical. LID is a design philosophy that seeks to reduce the impact to the environment from new construction projects through the reduction of impervious surfaces. LIDs principles incorporate the design of facilities with the use of native vegetation, pervious (porous) surfaces to reduce storm water runoff and encourage recharge of groundwater, and water conservation. DoD is currently conducting a LID study that will identify specific types of alternative designs that can be incorporated into the construction of facilities associated with the buildup. DoD is also preparing a stormwater pollution prevention plan (SWPPP) and will apply for permits that regulate stormwater discharges during construction. The permit and plan is focused on reducing the amount of earth and soil that is exposed to stormwater during earth-disturbing activities (such as land clearing and grading), providing stabilization of soils during construction through the use of ground covers, and sediment ponds and traps/screens to reduce pollutants getting into storm runoff and from percolating into the ground. These plans also have specific requirements for containment of potential pollutants at construction sites

(such as storage areas for equipment fuel). Lastly, DoD is developing a construction and demolition (C&D) waste management plan in consort with the stormwater construction plan that calls for the use of mulch on exposed soils, mulch that will be generated during the clearing of trees and low growth during land clearing activities. Once construction is complete, a SWPPP will be developed to control stormwater runoff and infiltration from base operations. This is being done on a regional DoD Guam-wide scale, and has the involvement of Guam EPA.

**K-165-004**

Thank you for your comment. The DoD and regulatory agencies are equally concerned about preventing contamination of surface waters and groundwater (particularly drinking water aquifers). The EIS describes numerous programs and actions that will be taken to protect surface waters and groundwater from potential contaminants. Refer to Volume 9, Appendix D, Project Description Technical Appendix, Munitions, for a discussion of the munitions and constituents of concern associated with the proposed ranges. The proposed ranges will be designed and maintained in accordance with all applicable federal and Government of Guam regulations. Specifically, Military Handbook 1027/3B contains procedures for reducing potential impacts from ranges through the implementation of BMPs. These include periodic clean-up of unexploded ordnance (UXO), introducing soil amendments, vegetation management, engineering controls, instituting contaminant monitoring, reclaiming, and recycling. With ranges, lead is the primary leaching contaminant of concern and best management practices can minimize or prevent leaching of this constituent. Impact rounds from pistol rounds generally stay intact and impact rounds from rifle rounds often fragment. Intact rounds and rounds fragmented into relatively large pieces are not easily transported by natural transport mechanisms.

Through the proper design of ranges, application of BMPs, and monitoring, the potential for groundwater contamination would be

minimized. BMPs can reduce or eliminate the leaching of lead to the environment. These procedures include controlling soil pH to between 6 to 8 to prevent dissolution of lead, mining of lead from back stop berms, implementing a soil leaching monitoring program, and adding phosphate containing soil amendments to bind dissolved lead to the soil. Prior to building the ranges, an engineering study would determine the minimum depth of soil cover to ensure sufficient soil cover of the limestone, and to assess the suitability and optimum technique to add soil amendments such as phosphate to prevent lead leaching. In addition, when percolating water reaches the porous limestone the pH will increase, encouraging the precipitation of lead out of solution. The DoD will monitor for selected contaminants of concern. If monitoring identifies significant impacts, such as indications that chemicals of concern may exceed regulatory standards, reduce beneficial uses, result in adverse human or environmental health effects, or conflict with federal or Government of Guam regulations, then additional action would be taken to address these impacts.

February 16, 2010

JGPO c/o NAVFAC Pacific  
258 Makalapa Drive, Suite 100  
Pearl Harbor, HI 96860-3134  
Attention: GPMO

**K-166-001** Re: **Volume 7 Chapter 3 Preferred Alternatives: Summary of Impacts**

The demand for civilian labor is projected to total between 7,000 to 7,500 workers in 2010. At the peak of the construction and buildup, total civilian labor is projected to range between 43,000 to 44,000 in 2014. Following this peak, the demand for civilian labor related to the preferred alternatives would return to about 7,000 or so workers into the foreseeable future. Of this total civilian labor force, approximately 25 to 30% would be consisted indirect or secondary jobs. Thus, over 1,500 jobs would be the normal secondary effect of the buildup program and up to over 9,000 jobs would be considered an indirect consequence of the buildup program during the peak of the construction period. The socioeconomic growth in the civilian sector may require additional education, medical care, police and fire facilities. These are elements that are likely to be addressed in the CSS.

**Comment:** DoD often touts the military buildup for being an economic boom. The fact is that Guam will incur a recession like period after 2014 when businesses conclude. This will compel many workers to out-migrate due to loss of jobs. Hotels may lose tourist attraction funding if the military does not pay hotel occupancy tax. Restaurants and hotels may have problems keeping staff due to higher paying jobs and pressure for higher pay. Due to bonding issues, Guam businesses will probably receive subcontracts rather than primary construction contracts. The average and total gross income paid to Guam civilian workers would increase for a short term based on the military buildup. The DEIS does not address any

### K-166-001

Thank you for your comment. As you note, there would be an expected decline in economic activity as the construction phase of the proposed action winds down. However, all economic variables analyzed are expected to be at higher levels of benefit for every year in the foreseeable future than they otherwise would be without the proposed action. For instance, please note Figure 4.3-1 of the Socioeconomic Impact Assessment Study (SIAS, which is Appendix F of the EIS), which shows higher levels of demand for labor during every year, with the proposed action, compared to the baseline trend which shows demand for labor without the proposed action.

Security clearances needed for Russian and Chinese visitors are not under the oversight of DoD.

Also the Final EIS includes expanded discussion on mitigation measures in almost all resource areas. DoD acknowledges the existing sub-standard conditions of key public infrastructure systems and social services on Guam and the interest to have DoD fund improvements to these systems and services. DoD's ability to fund actions is limited by Federal law. However, to minimize adverse impacts associated with the proposed military relocation program, DoD is leading a federal inter-agency effort to identify other Federal programs and funding sources that could benefit the people of Guam.

Finally, DoD recognizes the importance of reducing adverse effects on the people of Guam, its natural resources, and infrastructure. The EIS process identifies ways to implement the proposed relocation while minimizing adverse impacts. DoD will continue to ensure that the short-term impacts of construction are managed effectively and that the long-term effects of the military relocation reflect DoD policies to be good neighbors and responsible citizens on Guam.

K-166-001

method for mitigating the strain the military buildup will have on each agency under the purview of GovGuam.

I recommend that DoD fund each GovGuam agency in preparation for the military buildup. As Guam will incur a recession after 2014, I recommend that DoD make immediate plans to allow Chinese and Russian travelers into Guam thereby increasing our tourism revenue as the Japanese demographic dwindles due to age. Furthermore, I recommend that DoD provide a comprehensive mitigation plan for each part of the island they plan to destroy from coral reefs to terrestrial trails. Until these requests are met, I recommend No Action for the proposed military buildup.

Sincerely,



Benjamin L. Cruz

February 16, 2010

JGPO c/o NAVFAC Pacific  
258 Makalapa Drive, Suite 100  
Pearl Harbor, HI 96860-3134  
Attention: GPMO

K-167-001

**Re: Volume 7 Chapter 3 Preferred Alternatives: Summary of Impacts**

Increases in Guam population result in proportionate increases in incidence of traffic incidents and notifiable diseases. The population increase would also have a potential effect on health care service providers and public services (i.e., police and fire service); however, anticipated personnel increases for these services would allow current service levels to be maintained.

**Comment:** Traffic incidents will increase due to Guam's organic population, added military personnel, construction laborers, and various off island arrivals. Incidents of road-rage, drunken driving, and confusion related to Guam's highway regulations will create traffic incidents. A further burden is a lack of viable mass transit to mitigate congestion.

In preparation for the military buildup, GMH must recruit medical practitioners and they must attain more beds. GMH has 250 beds and 158 acute care beds. Guam is at 0.9 per thousand in relation to beds. By comparison, the national average is 2.5 per thousand. By 2014, GMH must have 322 acute care beds. Based on the population increase in relation to construction laborers, tuberculosis cases will increase by 10% to 15% in the next 2 to 5 years. Measles, STD's, and HIV/AIDS will increase, as will other communicable diseases. Adding to this problem is that military personnel with an STD may not seek health care in a military clinic or hospital for fear of having the information documented. Instead, they may choose health care in a Guam clinic thereby burdening a short-staffed clinic while

**K-167-001**

Thank you for your comment. DoD recognizes the importance of reducing adverse effects on the people of Guam, its natural resources, and infrastructure. The EIS process identifies ways to implement the proposed relocation while minimizing adverse impacts. DoD will continue to work to ensure that the short-term impacts of construction are managed effectively and that the long-term effects of the military relocation reflect DoD policies to be good neighbors and responsible citizens on Guam.

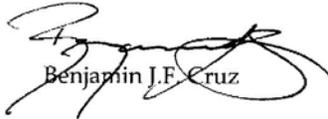
Roadways. Volume 6, Chapter 4 indicates that potential impacts to the public transportation system would result from construction delays associated with the roadway improvements. This could affect the level of service for transit riders by increasing travel times, longer headways, and missed transfers. Potential impacts to the existing pedestrian and bicycle facilities would occur during construction of roadway improvements. This includes a loss of intermittent sidewalk during the road widening and shoulder removal. Intersection improvements would also impact safe pedestrian and bicycle crossing during periods of reconstruction. The 2030 Guam Transportation Plan (GTP) presents a comprehensive, long-term strategy to improve transportation infrastructure and operations throughout Guam. GovGuam, through its DPW and Department of Administration, Division of Public Transportation Services, and Federal Highway Administration, as well as the Federal Transit Administration have partnered to prepare this plan. The plan addresses Guam's anticipated multimodal transportation needs, including roadway, bicycle, pedestrian, and transit facilities. The GTP includes forecasts for population, employment, and traffic growth through the year 2030, including impacts associated with the potential DoD multiple services buildup. Sustainable financing and project implementation recommendations are also included in the plan.

Health and human services. Volume 2, Chapter 16 provides a discussion

increasing residents wait time for medical treatment. This fact may negate the economic benefit associated with military personnel acquiring off base health care.

DoD must provide funding to DPW for a reliable mass transit system, highways, sidewalks, and bike paths. Funding from DoD to the Guam Police Department and Guam's judicial system will assist in meeting the demands an increase in population will have on crimes from traffic incidents to violent offenses. DoD must fund all of Guam's medical agencies to ensure they are properly equipped for the military buildup. Medical personnel and practitioners must be recruited with assistance from DoD to ensure the medical needs derived from a population increase are met. Until these requests are met, I recommend No Action for the proposed military buildup.

Sincerely,



Benjamin J.F. Cruz

of the overarching factors that affect health and human services on Guam. It also outlines the key public, nonprofit, private, and military agencies that provide primary health and human services to Guam's population.

Please see Section 4.4.1 of the Socioeconomic Impact Assessment Study (SIAS), which is Appendix F, Volume 9 of the EIS for information on the expected impacts the proposed action would have on the government of Guam's (agencies) staffing requirements. The analysis in the SIAS includes both direct and indirect impacts including those who move to Guam for work related to the proposed action. Another study, funded by DoD's Office of Economic Adjustment is underway, this is the Fiscal Impact Assessment that identifies the needs of the government of Guam and where the money to fund the needs could come from. The benefits to the community that the base is in, consists primarily of money that the new population provides to the local government from taxes, licenses, and fees. This money would go to the government's revenues. The executive and legislative branches of the government can then fund social, cultural, health, and other programs they feel are needed to benefit Guam.

As documented in this EIS, DoD acknowledges the existing sub-standard conditions of key public infrastructure systems and social services on Guam and the interest to have DoD fund improvements to these systems and services. DoD's ability to fund actions is limited by Federal law. However, to minimize adverse impacts associated with the proposed military relocation program, DoD is leading a federal inter-agency effort to identify other Federal programs and funding sources that could benefit the people of Guam.

1                   **COMMENTS BY SENATOR B.J. CRUZ**

2

3                   MR. CRUZ: I realize that this is the

4 fourth time that I've spoke and that I've

5 spoken at every meeting, it's because I'm very

6 interested in what happens. In fact, when the

7 buildup was first announced, I paid my own way

8 to Okinawa so I could spend seven days up there

9 to find out why it was that the Okinawans

10 wanted the troops out of there. And I'm too

11 embarrassed even to repeat to you what I saw up

12 there, but I'm just as going to speak to as

13 what we're here today on the DEIS.

14                   I'd like to -- I really appreciate the

15 fact that a number of speakers has spoken about

16 the school system. In your DEIS, I think it's

17 imperative that you guys re-look at that whole

18 issue. You're saying in your list of things

19 that you're going to be building, you're going

20 to build six schools. Guam Department of

21 Education last week announced they're building

22 six schools. Your DEIS says Guam's going to

23 need 617 teachers. Your DEIS says you're going

24 to need 900 teachers for your schools, that's

25 1,500. The website for the University of Guam

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**K-168-001**

Thank you for your comment. The impacts on the Guam public school system are discussed in subsection 4.4.2, page 4-42 of the SIAS. Table 4.4-4 in the SIAS provides the potential increase (maximal) of student population in the Guam Public School System from 2010 to 2020. Providing a brief summary, at the peak population year (2014), a total of 7,937 students could attend the public school system; by 2017, when the operational (long-term) conditions occur, the students generated could be 909. This is based on the direct and indirect (induced) populations resulting from the military relocation. The military dependents would be educated in the DoD school system and should not affect the public school system. Money generated through taxes from the increased population and federal payments to schools (based on student populations) should provide revenue to fund resources for the public schools.

It is also noted that the EIS process provides information on environmental impacts (this includes the human environment); however, there is a limit to the specific details of the impacts because the information used is based on the continuation of existing trends and behaviors. While it is not an exact science, the EIS process along with the comments received provide information and views of stakeholders, supporting and opposing the project, to the decision makers on the anticipated impacts of the proposed action.

Finally, DoD acknowledges the existing sub-standard conditions of key public infrastructure systems and social services on Guam and the interest to have DoD fund improvements to these systems and services. DoD's ability to fund actions is limited by Federal law. However, to minimize adverse impacts associated with the proposed military relocation program, DoD is leading a federal inter-agency effort to identify other Federal programs and funding sources that could benefit the people of Guam.

K-168-001

1 says they graduate about 400, at most 400  
 2 students a year. Last year, only 76 of them  
 3 were in education. I'm not sure what math  
 4 anybody took, but I'm trying to figure out how  
 5 by 2015, 2016 or 2017 you think with 76  
 6 teachers a year that graduate from UOG, you're  
 7 going to have sufficient number of teachers to  
 8 fill the 1,500 jobs that you're going to need  
 9 under this DEIS.

10 Your DEIS is grossly deficient. You  
 11 need to completely rewrite your education  
 12 portion of your DEIS. I pointed it out to you  
 13 the first night the deficiency and Mike Gawel  
 14 has concurred with me on the deficiencies that  
 15 you have on your dredging plan, I mean, that  
 16 one-inch testing is a joke. A joke, when  
 17 you're digging down 34 to 38 feet.

K-168-002

K-168-003

18 And also, you need to completely, under  
 19 NEPA, write a complete medical EPA -- I mean,  
 20 Medical Impact Statement to find out how you're  
 21 going to have 80,000 people taken care of at  
 22 GMH. If any of you were up at GMH today during  
 23 that testing, you know that hospital is not  
 24 ready for any major or even the small scuffled  
 25 accident with 10 people getting hurt. You need

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**K-168-002**

Thank you for your comment. Sediment core samples were selected from multiple locations (14 discrete sampling sites) within the dredging footprints for the three dredge areas, as show in Figure 2.3-6 in Volume 4 of the EIS. The number of samples and the compositing of samples were consistent with common practice for USACE dredging permit applications for Hawaii and Guam dredging projects. Sediment samples within the proposed dredging areas were analyzed according to USEPA and USACE testing criteria. Sediment core samples were taken to the proposed dredge depth needed to accommodate the visiting aircraft carrier. Additional detail is found in both Volumes 2 and 4 (Chapters 2 and 4). Additional testing will occur during the permitting process and a dredged material management plan will be developed.

Radioactivity associated with U.S. Navy nuclear-powered ships and the environmental monitoring program for such radioactivity were discussed in the Draft EIS in Volume 4, sections 18.1.1.1 and 18.2.2.6. These sections discuss the long history of safe operations and lack of adverse environmental impact. U.S. nuclear powered warships have safely operated for more than 50 years without any release of radioactivity that affected human health or had an adverse effect on the environment or marine life. The Navy's annual report covering environmental monitoring at locations throughout the U.S. was discussed, including the fact that radioactivity associated with nuclear-powered ships, chiefly cobalt-60, is not detectable in the environment in most harbors. The latest issue of this annual report is Report NTâ€09-1 dated March 2009. No cobalt-60 was detected in Apra Harbor, Guam in the samples documented in this report, which covers calendar year 2008. In addition to this summary report for all U.S. harbors, the Navy issues a detailed report for Apra Harbor each year. The latest report includes the results for each individual water, sediment, and marine life sample taken in Apra Harbor during 2008. No cobaltâ€60 was detected in any of these samples. The Navy has been conducting radiological environmental monitoring in Apra

K-168-003

1 to address the mental health and have a  
2 completely separate mental health EIS because  
3 there's going to be major issues in regards to  
4 mental health.

K-168-004

5 With all due respect, I think what  
6 needs to be done and it's being pointed out  
7 because all this things were not what was  
8 originally told to us, you're going to stay on  
9 your footprint and 20,000 people, you're going  
10 to need to completely come back to us with  
11 another Draft EIS before you go on for your  
12 record of decision. Thank you.

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Harbor since the early 1960s, when nuclear-powered ship operations in Guam started. A complete history of all of this environmental monitoring data is provided in Volume I of the Historical Radiological Assessment for Apra Harbor. This report documents that only trace amounts of cobalt-60, far below any level of health or environmental significance, have ever been detected in Apra Harbor.

The response to Senator Cruz's comments (K-007-002 and K-047-001) includes a detailed discussion on the nearly 50 year history of environmental monitoring for radioactivity by the U.S. Navy. No radioactivity associated with nuclear-powered ships (cobalt-60) has been detected in Apra Harbor since 1990. Core samples taken in the inner harbor in 2004 and in 2009 in areas of the outer harbor considered for dredging have not had detectable cobalt-60 at any depth. Trace concentrations of radionuclides associated with fallout from past nuclear weapons testing (cesium-137, americium-241, and plutonium 239/240) have been detected. These fallout nuclides are detectable worldwide. This trace amount of radioactivity in the sediment is far below the concentration established by the International Atomic Energy Agency for determining whether dredged sediments can be regarded as non-radioactive or de minimis under the Convention on Prevention of Marine Pollution by Dumping of Wastes and Other Matter (London Convention, 1972).

Since there is no indication of elevated radioactivity in Apra Harbor sediments, dredged sediment from Apra Harbor may be disposed of without any need for special considerations regarding radioactivity. The Final EIS has been revised in several sections to include the information discussed in the response to the comments from Senator Cruz and EPA. Revised sections include Volume 4, sections 2.3.5.1, 4.2.2.2, and 18.2.2.6, and Volume 2, section 4.1.4.1.

References:

1. U.S. Navy Report NT-09-1, “Environmental Monitoring and Disposal of Radioactive Wastes from U.S. Naval Nuclear-Powered Ships and Their Support Facilities”, March 2009
2. U.S. Navy Report, “Radiological Environmental Monitoring Report, Calendar year 2008, Apra Harbor, Guam”
3. U.S. Navy Report, “Historical Radiological Assessment, Apra Harbor Naval Complex Territory of Guam, Volume I, Naval Nuclear Propulsion Program, 1961-2004”, February 2006
4. IAEA-TECDOC-1375, “Determining the Suitability of Materials for Disposal at Sea under the London Convention 1972: A Radiological Assessment Procedure,” IAEA, October 2003

**K-168-003**

Thank you for your comment. Neither the National Environmental Policy Act (NEPA) or the President's Council of Environmental Quality (CEQ) that provide guidelines for NEPA documents, cite the requirement for a medical impact statement.

Relating to the population figure of about 80,000 people; it should be noted the figure represents a maximal figure when most of the construction workers are still on Guam and the military populations arrive (2014); once construction is completed, the operational population would be about 33,400 (2016) (see the SIAS, Table ES-1, on page iii). Not all of this population will be serviced by GMHA or mental health agencies on Guam.

The maximal number of 80,000 occurs at the peak when the construction is still underway and the military and their dependents are arriving on the island. It is expected that the military population would have dental and

medical services provided by the DoD medical system (that population is estimated to be over 20,000). Also, contractors providing H2B workers for DoD jobs (as well as other construction workers) would have medical benefits, including clinics that would be available to the construction workers (this population represents another 20,000 individuals). So the maximal population that GMH could serve is less than 40,000 people. Also, humanitarian and mutual aid would be provided (as in the past during emergencies), and the military and civilian hospitals would provide medical services until the emergency is over.

The SIAS and the DEIS are documents that have identified the probable impacts of the proposed action and alternatives based on the best available information. Existing data and information was gathered and supplemented with interviews with federal and Guam agencies. To provide the public and various governmental agencies with an opportunity to review and comment on the methodologies and assumptions used, the SIAS was included as Appendix F, Volume 9 of the DEIS. Comments provided on the DEIS will also be included to provide the decision-makers with the public views in support and/or opposition of the proposed action and alternatives. Although existing deficits in Guam healthcare were noted in the DEIS, the purpose of the SIAS was to focus on the specific impacts that would be generated by the proposed action.

**K-168-004**

Thank you for your comment. The DoD has kept the public informed as required by NEPA, which includes holding public scoping meetings and public hearings and allowing the public to comment on the DEIS. DoD has had ongoing discussions with Cooperating Agencies (those federal

and local agencies with special expertise or regulatory oversight) throughout the preparation of the DEIS and will continue these discussions with agencies through the completion of the FEIS. As part of the engagement with Cooperating Agencies, they were asked to conduct an early technical review of the partially completed DEIS in late July 2009. The DoD has also met extensively with elected officials and other community stakeholders on the progress of the EIS and notional/preliminary relocation plans.

1                   **COMMENTS BY SENATOR BEN PANGELINAN**

2

3                   MR. PANGELINAN: I believe in you,  
4 Talina, I believe in you. Anjelica, I believe  
5 in you. Melvin, I believe in you. J Rae, I  
6 believe in you. I believe in Guam and I  
7 believe in the people of Guam. General Bice, I  
8 don't believe you. Let everyone here that  
9 says, "If we don't love the military, we don't  
10 love America". The military is not America,  
11 America is the constitution of the United  
12 States, America is the declaration of  
13 independence, America is the right to pursue  
14 life, liberty and happiness. I believe in  
15 America, I believe in the right that America  
16 gives me, to believe, rise up and defend my  
17 island, defend my culture, defend my language  
18 and defend my homeland, that is America and  
19 that's what I'm doing here.

20                   This EIS is unbalanced and unfair, it  
21 is tipped to defend the interest of the  
22 military, not America, do not confuse the two.  
23 This buildup is to ensure that the tip of the  
24 spear gets launched into Afghanistan to defend  
25 freedom and democracy there while it strips us

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**K-169-001**

Thank you for your comment, which focused on how Guam was chosen for the military relocation rather than other places within the Pacific region. Volume 1 at Section 1.4 in the Draft EIS provides a Global Perspective Background, which explains the various international and military capability requirements that were considered for the realignment of military forces. Because this section of the Draft EIS explains the background analysis of strategic military capability locations within the Pacific, it will remain the same for the Final EIS. For instance, this section describes how several locations were considered throughout the Pacific region for the military relocation based upon 1) response times, 2) freedom of action (the ability of the U.S. to use bases and training facilities freely and without restriction at a particular locale), and 3) international treaties and agreements with Japan and other Western Pacific allies. The U.S. locations in the Pacific region considered for the military relocation were Hawaii, Alaska, California, and Guam. Non-U.S. locations considered included Korea, the Philippines, Singapore, Thailand, and Australia, because they are allies to the U.S. and are well situated for strategic force deployment. After analyzing the international and military capability requirements for each locale mentioned above, Guam was the only location for the relocation that met all the criteria.

K-169-001

K-169-002

1 of our freedom and democracy right here at  
2 home, we will not stand for that because that's  
3 not what America is about.

4 We need to bring this military buildup  
5 into balance so that it protects our rights, it  
6 protects our land and it protects our people.  
7 Then we will have democracy on this island,  
8 then we will have balance, then we will have  
9 peace and tranquility. We want the same things  
10 you want, you cannot have behind your fences  
11 peace and tranquility when there is disturbance  
12 and there is oppression on the other side of  
13 that fence.

K-169-003

14 Listen, listen, listen, you said that  
15 you relocated the firing range from NCTAMS to  
16 Pagat because you listen to the people. Well,  
17 listen some more because we're saying, "don't  
18 put it there where our ancestor lie, where the  
19 land is pristine and we want to preserve it for

K-169-004

20 the future, don't put it there!" There's a  
21 golf course at the Anderson you can just  
22 bulldozer and put it there. And you know what?  
23 There are two golf courses five minutes from  
24 the front gate where they can join us in  
25 playing golf. Welcome to Guam.

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**K-169-002**

Thank you for your comment. DoD recognizes the importance of managing efforts in implementing the proposed military relocation to reduce adverse effects on the people of Guam, its natural resources and infrastructure. The Final EIS process identifies ways to implement the proposed relocation while minimizing adverse impacts. DoD will continue to ensure that the short term impacts of construction are managed effectively and that the long term effects of the military relocation reflect DoD policies to be good neighbors and responsible citizens on Guam.

Through the process of public involvement that has accompanied this proposed action, the Chamorro people of Guam have voiced clearly and concisely their concern that the traditional Chamorro culture, including dance, language and traditions, will be forgotten. While population increases can highlight cultural differences, they also present unique opportunities for cultural learning and sharing. As noted in the Final EIS, the DoD plans for cultural sensitivity orientation and awareness programs will focus on mutual respect and tolerance and strive to educate all incoming and currently present military personnel on the rich and varied cultural history that has created the culture that is Guam today. Finally, the DoD plans to increase military civilian joint activities in order to foster strong and mutually beneficial military civilian relationships that include the sharing and understanding of culture.

**K-169-003**

Thank you for your comment.

**K-169-004**

Thank you for your comment. The EIS describes the intensive selection process that the DoD went through to select alternatives for the location of the firing range on Guam in Section 2.3.2.5. Placing the firing range

at the golf course on Andersen AFB would be in direct conflict with the special use airspace associated with the airfield at Andersen AFB.

*I MINA'TRENTA NA LIHESLATURAN GUÅHAN*  
2009 (FIRST) Regular Session

**Resolution No. 258-30 (COR)**

As amended.

Introduced by:

Judith P. Guthertz, DPA  
R. J. Respicio  
Judith T. Won Pat, Ed.D.  
B. J.F. Cruz  
T. R. Muña Barnes  
T. C. Ada  
F. B. Aguon, Jr.  
F. F. Blas, Jr.  
E. J.B. Calvo  
J. V. Espaldon  
Adolpho B. Palacios, Sr.  
v. c. pangelinan  
Telo Taitague  
Ray Tenorio

**K-170-001**

Relative to expressing the strong and abiding opposition of *I Liheslaturan Guåhan* and the People of Guam to any use of eminent domain [condemnation] for the purpose of obtaining Guam lands for either the currently planned military buildup or other U.S. federal government purposes, *or both*.

**K-170-001**

Thank you for your comment. Should DoD determine that additional land is necessary to meet its requirements, DoD policy requires that it negotiate with affected public and private land owners in good faith, seek agreements to acquire desired lands interests and pay fair market value. Where circumstances exist that require resolution of issues such as ownership or value, procedures exist under eminent domain authority to resolve those questions. Eminent domain requires reimbursement at fair market value.

K-170-002

1 BE IT RESOLVED BY I MINA'TRENTA NA LIHESLATURAN

2 *GUÁHAN:*

3 WHEREAS, the island of Guam has only one hundred forty-seven  
4 thousand (147,000) acres of land available to it for all purposes; and

5 WHEREAS, the Department of Defense currently possesses forty  
6 thousand (40,000) acres, constituting 27.21 percent of the island's land mass;  
7 and

8 WHEREAS, the United States National Park Service currently possesses  
9 six hundred ninety-five (695) acres, *or* 0.47 percent of the island; and

10 WHEREAS, the United States Fish & Wildlife Service currently  
11 possesses three hundred eighty-five (385) acres, *or* 0.26 percent of the island;  
12 and

13 WHEREAS, the Government of Guam currently possesses thirty-seven  
14 thousand six hundred seventy-three and thirty-six (37,673.36) acres, *or* 25.6  
15 percent of the island; and

16 WHEREAS, the private lands of Guam consist of *only* sixty-eight  
17 thousand two hundred forty-six (68,246) acres, *or* 46.43 percent of the island;  
18 and

K-170-003

19 WHEREAS, the federal Government, in its draft Environmental Impact  
20 Statement (DEIS) for the military buildup, has stated it desires additional land  
21 for its buildup for a Proposed Training Range Complex, offering two (2)  
22 alternatives: Alternative A, identified as the preferred alternative, calls for  
23 acquiring by lease *or* condemnation nine hundred twenty-one (921) acres for

**K-170-002**

Thank you for your comment.

**K-170-003**

Thank you for your comment. DoD acknowledges that the issue of land acquisition is a complex and sensitive issue, particularly related to prior acquisition of land in Guam by the federal government. Prior land acquisition policies and procedures are not reflective of current land acquisition laws and DoD policy.

DoD was required to determine whether military relocation requirements could be met by excess, underutilized or otherwise available property held by DoD on Guam. Early development plans attempted to keep all activities on existing DoD lands. However, as discussed in the FEIS (Volume 2, Chapter 2), after applying operational and environmental screening criteria, no contiguous DoD area on Guam was identified that could support all the land use and operational requirements of the action.

Should DoD determine that additional land is necessary to meet its requirements, DoD policy requires that it negotiate with affected public and private land owners in good faith, seek agreements to acquire desired lands interests and pay fair market value. Where circumstances exist that require resolution of issues such as ownership or value, procedures exist under eminent domain authority to resolve those questions. Eminent domain requires reimbursement at fair market value.

1 this training range complex, which apparently is limited to public lands  
2 belonging to the *Chamorro* Land Trust Commission and the Ancestral Lands  
3 Commission, and Alternative B, east of Andy South, that calls for acquiring by  
4 long-term lease *or* condemnation one thousand one hundred twenty-nine  
5 (1,129) additional acres, some private and some public; and

6 **WHEREAS**, the DEIS also states that the military desires the former  
7 FAA Housing Area, comprising six hundred eighty (680) acres of Ancestral  
8 Lands, which would fill in a gap in the future Marine Corps base between  
9 NCTS *Finegayan* and South *Finegayan*; and

10 **WHEREAS**, the Joint Guam Program Office (JGPO) has declined to be  
11 clear regarding the possibility of eminent domain/condemnation being used  
12 as a tool to acquire the desired access to additional land in Guam, either  
13 directly *or* indirectly as a threat to back up “negotiations”; and

14 **WHEREAS**, the Joint Guam Program Office has stated that all options  
15 “are on the table” when it comes to additional land needed by the military,  
16 and that there is such a thing as “friendly condemnation”; and

17 **WHEREAS**, it appears that the federal government has *no* appreciation  
18 for the history of Federal land takings in Guam, *or* the importance of land to  
19 the people of Guam; and

20 **WHEREAS**, the history of land takings and the importance of land in  
21 the local culture of a tiny island have resulted in a significant sensitivity to  
22 Federal land takings on the part of the local people; and

1       **WHEREAS**, *Chamorro* historian, Reverend Joaquin Flores Sablan, wrote  
2 that land and family lineage continued to be the basis of wealth and prestige:  
3 “Land ownership was the greatest security, particularly inherited property  
4 which they treated as a sacred trust from their parents. To part with the land  
5 was the same as committing suicide.” [Destiny’s Landfall: A History of  
6 Guam, by Robert F. Rogers, University of Hawai’I Press, 1995, page 142]; and

7       **WHEREAS**, the Naval government, from 1898 until 1950, completely  
8 ignored the *Chamorro* people’s devotion to the land, issuing their second  
9 order, on January 30, 1899, to confiscate land in the *Piti* area to use for a  
10 coaling site and Navy yard. The people of Guam were never compensated for  
11 that very first land taking, just the “first of a long series of controversial steps  
12 whereby United States governmental agencies acquired large portions of land  
13 on Guam” [Rogers, page 115]; and

14       **WHEREAS**, the Naval government held over one-third of the island of  
15 Guam on the eve of World War II, and within three (3) months of the  
16 liberation of the island in 1944, five (5) airfields were built; and

17       **WHEREAS**, by Public Law 594, the Land Acquisition Act passed by the  
18 U.S. Congress on August 2, 1946, the Navy Department was authorized to  
19 acquire private land needed for permanent military installations on the island,  
20 but compensation was inadequate, due in part to a lack of proper land  
21 valuation in the largely agrarian island, amounting to only pennies on the  
22 dollar for the actual value of the land; and

1       **WHEREAS**, from 1947 to 1950, the main mission of Guam’s military  
2 command was to complete building facilities, and for this purpose large  
3 pieces of land were taken; and

4       **WHEREAS**, the postwar land takings were mixed in time and process  
5 with limited and inadequate compensation for personal injury and death and  
6 property damage under the Federally-created Land and Claims Commission;  
7 and

8       **WHEREAS**, the United States federal government still has *not*  
9 appreciated the connection between compensation for the sufferings of the  
10 people of Guam at the hands of the Japanese occupiers and the takings of  
11 land; and

12       **WHEREAS**, the Land and Claims Commission condemned land, but  
13 became bogged down in the legal complexities of hundreds of property  
14 transactions. Rogers states [p. 215] that, “The commission was understaffed  
15 as well as inexperienced in real estate matters. Higher commands nonetheless  
16 pressured the staff to meet tight deadlines for land transfers in order for  
17 construction of new military projects to proceed”; and

18       **WHEREAS**, when former landowners *or* their heirs attempted to take  
19 these injustices to Federal court for redress of the situation, they were told that  
20 the statute of limitations had been exceeded; and

21       **WHEREAS**, without consultation with Guam officials *or* owners of  
22 leased properties, the new civilian governor, Carlton Skinner, signed a quit-  
23 claim deed on July 31, 1950, the day before the Organic Act went into effect,

1 whereby the Government of Guam transferred all condemned property to the  
2 United States of America "for its own use." This left the Navy and Air Force  
3 in direct control of about forty-nine thousand six hundred (49,600) acres, *or*  
4 over thirty-six percent (36%) of the island; and

5 **WHEREAS**, the very first case in the new court under the Organic Act,  
6 which granted American citizenship to the *Chamorros*, was a retaking of all of  
7 the previous takings, to ensure that *no* claim could be made that land could  
8 *not* be taken from the *Chamorros* prior to their becoming American citizens;  
9 and

10 **WHEREAS**, in 1977, the creation of the new War in the Pacific Memorial  
11 Park saw the condemnation of coastal land in the *Agat* area, thus preventing  
12 the construction of the *Agat* Marina for many years; and

13 **WHEREAS**, in the 1980's, the U.S. Congress attempted to correct the  
14 obvious injustice of the postwar land takings by authorizing the land taking  
15 cases to be reopened and additional compensation be paid; and

16 **WHEREAS**, while many former landowners accepted the class action  
17 settlement under this law, some previous landowners of large holdings, such  
18 as those at Andersen Air Force Base and including the very land at NCTS  
19 envisioned by the federal government for the new Marine Corps base, opted  
20 out of the settlement and their claims against the federal government under  
21 that law have *not* been settled to this day; and

22 **WHEREAS**, the final insult to the people of Guam came when the three  
23 hundred eighty-five (385) acres of the former Naval Facility, Guam at *Ritidian*

1 Point was declared excess in the 1990's and was grabbed quietly, without  
2 fanfare *or* advance notice, by the U.S. Fish & Wildlife Service, rather than  
3 being returned to the original landowners via the Government of Guam; and

4 **WHEREAS**, a former Assistant U.S. Attorney handling land matters in  
5 Guam in 2000 and 2001, freely admitted that many *Chamorro* landowners at  
6 the time were cheated out of their land by land agents telling them that the  
7 paperwork to be signed was compensation for damage to coconut trees *or* that  
8 the land would be returned to the owner once there was no longer any need  
9 for it; and

10 **WHEREAS**, this sordid history of the people of Guam's most precious  
11 resource, other than its children, needs to be and must be appreciated by the  
12 United States federal government; and

13 **WHEREAS**, in response, *I Liheslatura* has specifically enacted legislation  
14 addressing Federal acquisition of property, including:

15 (a) Public Law 29-113, specifically §15105 of Chapter 15, Title 21  
16 of the Guam Code Annotated, which calls for duly enacted legislation  
17 by *I Liheslatura* to authorize "the acquisition by condemnation *or*  
18 otherwise of private property" by means of Congressional  
19 appropriation to acquire property for public use; and

20 (b) Public Law 30-21, specifically § 2401 (c) of Chapter 24, Title 1  
21 of the Guam Code Annotated, which tasks the Guam First Commission  
22 to determine which land the federal government may intend to lease *or*  
23 sub-lease, exchange for other land, *or* purchase, and to report their

1 findings to *I Liheslatura* and *I Maga'lahi*, and also requires Legislative  
2 approval of any Federal acquisition of government of Guam property,  
3 whether by lease, sub-lease, exchange *or* sale; now, therefore, be it

4 **RESOLVED**, that *I Mina'Trenta Na Liheslaturan Guåhan* does hereby, on  
5 behalf of the people of Guam, absolutely oppose the use, *or* threat of use, of  
6 eminent domain/condemnation for any acquisition of any additional Guam  
7 land, private *or* public, for any purpose whatsoever related to the planned  
8 military buildup; and be it further

9 **RESOLVED**, that *I Mina'Trenta Na Liheslaturan Guåhan* does hereby, on  
10 behalf of the people of Guam, demand negotiations at arms length, with a  
11 level table, and without undue pressure being exerted on Guam landowners  
12 by the United States federal government/Department of Defense, for the  
13 acquisition of any additional land, public *or* private; and be it further

14 **RESOLVED**, that *I Mina'Trenta Na Liheslaturan Guåhan* does hereby, on  
15 behalf of the people of Guam, demand dealings concerning land are held in  
16 good faith between the United States federal government/Department of  
17 Defense and private landowners that are willing to lease/sell their property to  
18 the federal government, and are also held in good faith with the official  
19 representatives of the people of Guam in discussing the potential lease of land  
20 from the government of Guam; and be it further

21 **RESOLVED**, that *I Mina'Trenta Na Liheslaturan Guåhan* does hereby, on  
22 behalf of the people of Guam, demand that the federal government renounce  
23 any repeat of history, and declares that condemnation *SHALL NOT* be a tool

1 available to the federal government, either directly *or* through the use of  
2 intimidation, in relation to the Guam military buildup; and be it further

3 **RESOLVED**, that *I Mina'Trentia Na Liheslaturan Guåhan* does hereby, on  
4 behalf of the people of Guam, recognize and memorialize the many years of  
5 injustice and mistreatment of the people of Guam, as reflected in the foregoing  
6 history of Federal land takings; and be it further

7 **RESOLVED**, that the Speaker certify, and the Legislative Secretary  
8 attest to, the adoption hereof, and that copies of the same be thereafter  
9 transmitted to the Honorable Barack Obama, President of the United States; to  
10 the Honorable Nancy Pelosi, Speaker of the United States House of  
11 Representatives; to the Honorable Robert Byrd, President Pro Tem of the U.S.  
12 Senate; to the Honorable Madeleine Z. Bordallo, Guam Delegate to Congress;  
13 to the Honorable Ban Ki-moon, Secretary General of the United Nations; to  
14 the Honorable Hillary Rodham Clinton, Secretary of State; to the Honorable  
15 William Gates, Secretary of Defense; to the Honorable Ray Mabus, Secretary  
16 of the Navy; to the Honorable Michael B. Donley, Secretary of the Air Force; to  
17 the Honorable John M. McHugh, Secretary of the Army; to the Honorable Ken  
18 Salazar, Secretary of Interior; to the Honorable Anthony Babauta, Assistant  
19 Secretary of the Interior for Insular Affairs; to the Honorable Benigno Fitial,  
20 Governor of the Commonwealth of the Northern Mariana Islands; and to the  
21 Honorable Felix P. Camacho, *I Maga'lahaen Guåhan* (Governor of Guam).

DULY AND REGULARLY ADOPTED BY I MINA'TRENTA NA  
LIHESLATURAN GUÅHAN ON THIS 22<sup>ND</sup> DAY OF JANUARY 2010.



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JUDITH T. WON PAT, Ed.D.  
Speaker



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TINA ROSE MUÑA BARNES  
Legislative Secretary



ACQUISITION,  
TECHNOLOGY  
AND LOGISTICS

OFFICE OF THE UNDER SECRETARY OF DEFENSE  
3000 DEFENSE PENTAGON  
WASHINGTON, DC 20301-3000

APR 07 2010

The Honorable Ben C. Pangelinan  
Chairman  
Committee on Appropriations, Taxation,  
Banking, Insurance, and Land  
324 W. Soledad Ave. Suite 100  
Hagåtña, Guam 96910

Dear Mr. Chairman:

Thank you for your letter dated January 25, 2010, concerning the Navy Socioeconomic Impact Assessment Study that is part of the Department of the Navy's Draft Environmental Impact Statement.

I have forwarded your letter to the Assistant Secretary of the Navy for Energy, Installations and Environment (ASN(EI&E)) to be included as an official comment to the Draft Environmental Impact Statement. The Navy is the lead agency coordinating the Statement and is better suited to respond to your questions and concerns.

Sincerely,

Dorothy Robyn  
Deputy Under Secretary of Defense  
(Installations and Environment)

cc:  
ASN(EI&E)  
Joint Guam Program Office



Mina' Trenta Na Liheslaturan Guåhan

Senator vicente (ben) c. pangelinan (D)

January 25, 2010

Dorothy Robyn  
Office of the Deputy Under Secretary of Defense  
(Installations & Environment)  
3400 Defense Pentagon, Room 3B856A  
Washington, DC 20301-3400

Dear Ms. Robyn,

Håfa Adai! I would like to solicit your input concerning the estimated tax revenue collection forecasted in the Socioeconomic Impact Assessment Study (SAIS) prepared by the U.S. Department of Defense in November 2009.

With respect to the SAIS and the entire Draft Environmental Impact Statement (DEIS) two of the most critical questions that must be addressed are how much additional income and expense will the Government of Guam and ultimately, taxpayers incur. Without a proper and accurate analysis of how much additional revenue will be collected by the Government of Guam, it is not possible to truly assess and analyze the environmental impact to our island.

Section 4.3.3 in Appendix F of the DEIS is enclosed for your convenience and indicates a projection of revenue estimates/collections during and after the military relocation build-up (FY 2010 through FY 2018). These projections were generated from various sources in the Federal Government, the private sector, and the Government of Guam.

The Committee on Appropriations, Taxation, Banking, Insurance, Retirement, and Land is interested in your perspective about the quality of assumptions and financial model output as well as the probability of the tax collection revenue estimates. In addition, the Committee is requesting feedback about what information may be lacking or any other weaknesses which might cause changes to the estimates in the SAIS study.

As leaders in our business community and government financial experts, I urge you to take the time to read, reflect and respond to this information. Your comments may help shape the final EIS and record of decision.

324 W. Soledad Ave. Suite 100, Hagåtña, Guam 96910

Tel: (671) 473-(4BEN) 4236 - Fax: (671) 473-4238 - Email: senbenp@guam.net

Chairman  
Committee on  
Appropriations, Taxation,  
Banking, Insurance, and  
Land

Member  
Committee on Education

Member  
Committee on  
Municipal Affairs,  
Aviation, Housing, and  
Recreation

Member  
Committee on Labor, the  
Public Structure,  
Public Libraries, and  
Technology

K-171-001

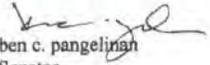
**K-171-001**

Thank you for your comment. The Tax Revenue analysis presented in Section 4.3.3 of the Socioeconomic Impact Assessment Study (SIAS) was conducted under the assumption that GovGuam would collect all of the taxes it would be due based on construction work and other economic activity generated by the proposed action.

Mitigation measures have been proposed, and are under consideration, that would create a system of information sharing between DoD and GovGuam as that information refers to DoD contract revenues that would be subject to Guam taxes.

Should you have any questions regarding this request please contact Mr. Chris Budasi,  
Director of the Office of Finance and Budget, 30th Guam Legislature at 473-4236.

Si Yu'os Ma'ase'.

  
ben c. pangelinan  
Senator

Enclosure: DEIS, Appendix F, pp 4-24 – 4-33

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